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RACING REMINISCENCES

AND

EXPERIENCES OF THE TURF

BY

97259

SIR GEORGE CHETWYND, BART.

IN TWO VOLUMES—VOL. II.

SECOND EDITION

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RACING REMINISCENCES

VOL. II.

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OF

THE SECOND VOLUME

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EXPERIENCES OF THE TURF

CHAPTER I

HINTS TO BACKERS AND YOUNG OWNERS

THAT the practice of betting is in many ways mischievous and calculated to do harm is a truism which need not be disputed; but men always have betted, and doubtless always will bet, and it would be affectation and senseless prudery to exclude the subject from a book on the Turf. Newspapers condemn the custom in one column and publish the latest odds in the next; solemn dignitaries denounce it and sit down to play whist for sixpenny points, which is practically very much the same thing. I have therefore thought it well to give here some of the results of my experience and observation of what is called the 'Turf Market.' If the young lover of racing is not inclined to bet, it is, no doubt, well for him to avoid it; if he is, he may derive matter for reflection from the remarks of one who has habitually taken the odds, and on occasions laid them, for many years past.

Mr. Chaplin one day at York, in my hearing, offered to bet Lord Falmouth from 500*l.* up to any amount that Hermit became the sire of a winner of the Derby before Kingcraft did. 'Bet about it? No, I don't wish to bet,' was Lord Falmouth's reply:

'when you are trying to impress your audience in the House of Commons with your views on a certain subject, you don't bet with them about it!' 'No,' said Mr. Chaplin, 'but I should like to!' After all, there is much to be said for a man who has the courage of his opinions. There is a ring of sincerity in a man's offer to back his skill or judgment on the merits of a horse or anything else, and there are many excuses to be made for him, provided that he acts with due moderation. I set my face against heavy gambling. Every day we have proofs of the ruin it leads to, but it is possible to be severe to the limits of priggishness and prudery. Even so grave a journal as the 'Spectator' has had a word to say in semi-defence of what may be described in the jargon of the day as 'an occasional flutter,' for a number not very long since contained the following remarks:—'In games of chance you do learn to realise practically what it means in life to have the odds against you, as men so often must have them against them in much more serious matters, and matters where it is far less possible to calculate the amount of the odds against them. You might learn, too, and often do learn, how much piquancy is given to otherwise very stupid occupations by the uncertainty of the issue. And you certainly get a very good opportunity of practising equanimity in small reverses and magnanimity in small successes. If a game be made more cheerful by a little of the excitement of pure chance as to who will be the gainers and who the losers, as games have been made and will be made more cheerful as long as human nature and youth remain what they are, we

can see no more harm in losing small sums for such a purpose than in losing them for the purposes of a cooling drink in summer or a hot drink in winter. But the difference between gambling and almost every other amusement is that it combines no advantage of a higher order with the advantage of excitement. It does not involve exercise; it does not teach anything, unless it be a little coolness and self-control; it does not cultivate the sense of beauty, like gazing at beautiful scenes; it does not sustain the body; and, unless very moderately indulged in, instead of refreshing and restoring, it rather heats and exhausts the mind.'

Another writer has said, 'Gambling is not gambling when you gamble within your means,' and if this be so gambling is doubtless to be condemned; but, as just observed, against such gambling I earnestly warn young readers, for they will have seen in many places in this book how very often apparent certainties were beaten for one of a hundred different reasons.

If a young man came to me and asked me if I would advise him to go on the Turf, I should reply, without a moment's hesitation, 'No;' believing that even if he was very well off, and if he hardly ever made a bet, and so had little experience of the vexations of losing, he would be spared much annoyance. His temper would not be improved by the practice of 'going racing,' and he would avoid the thousands of petty jealousies, quarrels, pretended friendships, false congratulations, the ups and downs, the mortification of being beaten by a head, the accidents—all of which weigh down the scale too heavily on one

side; whilst the other contains a few victories, though truly they are pleasant enough when they come!

If, however, my advice were asked on the subject of forming a stud by some one who was bent on devoting himself to the sport, I should strongly recommend the purchase of well-bred fillies as yearlings. They might or might not win races, but if they turned out worthless as racehorses they would be valuable to breed from, if judiciously mated. I should also advise the purchase of a few well-bred young mares in foal, so that a beginning might be speedily made without having to wait several years. Eighty per cent. of our best racehorses have been bred in private studs, although such horses as Doncaster, Galopin, Sefton, Merry Hampton, and Wenlock were bought at public auction. As regards the purchase of yearlings, the risks and chances are increased by the fact that while one is never certain that the best-looking animals will race, it is exceedingly difficult to make sure that the youngster is of a promising sort. Gentlemen who breed for sale must fatten their yearlings to please the eye of the public when they are led into the Ring, and, what is of more importance to them, to hide their defects. Nothing is more common for men who have purchased youngsters for high prices—animals that have looked symmetrical enough till the breaking tackle has been put on them, and they have been put into work—to find, when the fat has been sweated off them, that a melancholy alteration has been wrought in a few weeks. They now discover that the expensive yearling has a ewe neck, is slack in the ribs,

long in the back, or has some other too obvious fault that had not been apparent when he was lusty and gross.

Before buying a yearling he ought to be most carefully examined, special attention being paid to see whether he stands perfectly true, and that he is not back at the knees—a fatal fault in any horse. Care should be taken to ascertain that his feet are of good size (one contracted foot being a serious defect), that he has good shoulders and arms, clean limbs and hocks, and that he is well ribbed up. Never buy a horse with a mare's head! Some years ago I and a friend gave 2,600 guineas for Goldsmith, a son of Hermit and Crucible. We asked Mr. Mannington, the well-known veterinary surgeon, to look the horse over, with the result that he told us he could find no fault in him except that he 'had a mare's head.' In spite of this we bought him, but our swan proved to be a goose—the horse turned out a very moderate five-furlong plater. It is always best to purchase animals that have running blood in them on their dam's side, and it is dangerous to give high prices for animals out of untried mares. A purchaser ought always to make up his mind about what sum he thinks an animal is worth, and not to be carried away in bidding, in spite of the eloquence of Mr. Tattersall and the subdued admiration of the by-standers; and he ought never to give an unlimited commission to buy any animal. Years ago a brood mare, Lady Bothwell was her name I believe, was sent to Tattersall's in London to be sold. Two gentlemen, one of them the late Sir Richard Sutton, instructed their representatives to buy her, each

believing she would go for about 500*l*. No limit was given, the consequence of which was that the mare was knocked down to Sir R. Sutton for about 2,500 guineas, or five times her value.

Unless your yearlings are very well bred and particularly good-looking, avoid entering them in too many races. It is a great annoyance to find a two-year-old worthless when tried, and to remember that you have to pay forfeit in thirty or forty engagements. If, however, you make up your mind to engage a yearling heavily, enter it in all the best races. A curious omission in the way of entering was made by the owner of the beautiful Signorina, who had been put in the big two-year-old races, the One Thousand and Oaks, but not in either the Two Thousand or Derby, although it is undoubtedly discouraging for an owner of a promising filly to know that in the last thirty-two years the latter race had only been won twice by fillies, Blink Bonny and Shotover, and as for the latter mare she was by no means up to the standard form of a Derby winner, but the horses she had to compete against were a very moderate lot, and the favourite was wretchedly ridden.

I recommend the beginner to pay the greatest attention to public form. It is not always trustworthy—very far from it—but it is twenty times more so than private trials. Over and over again I have been told of the marvellous prowess exhibited by youngsters at home. It is said that they can 'climb trees' and do everything but talk; but as a rule, when they make their first appearance in public their number is taken down by a tried public per-

former. What puzzles the student of private and public form, and leads to innumerable contradictory results, is the fact that some animals do their best at home in trials, but do not run up to their form out, owing to nervousness, ill-temper, or cowardice; whilst others do not exert themselves in private trials, but are excited, and have their nerves strung to concert pitch on the racecourse, where they run many pounds better than on their own home grounds. Needless to say, the latter sort are the ones that cost their backers the least money.

It is a good plan for a man who bets always to carry a 'Racing Guide' in his pocket, also the latest issues of the weekly guide published at the offices of some of the sporting papers, and of course containing all the latest returns of racing up to date. Make up your mind what animal you are going to back before you go near the Ring, and if you are a fair judge of the looks and condition of a horse, try and get a chance of inspecting him in the saddling paddock before the race. Avoid touting as much as possible, though it is desirable, if it can be done, to ascertain from those who should know most about him if an animal is well. If you fancy a horse very much, and find that he is a great favourite at what you consider to be a false price, do not on that account put on more money than you originally proposed to risk. It is foolish, though at the same time it is a by no means uncommon practice in such cases, to back another animal in the race instead of your original fancy. If you can really make out on form that your second choice actually has a chance of beating the favourite, it may be that the price you would get about him in

the face of a hot favourite would be worth your taking. Above all, abstain from plunging when you are losing. 'Cut your losses and play up your winnings,' is the best advice I can give to beginners, or indeed, to every backer of horses, though it is advice which requires no little resolution to act upon, as we almost daily see.

Do not be led away by fairy tales of what horses can do or have done at home. During my racing career I have had hundreds of trials, often employing the best jockeys to ride in them, and taking every possible care and pains to arrive at a really accurate and trustworthy result; but my experience is that four out of six of them—I state the proportion deliberately—turn out to be wrong, as shown afterwards by the public form of the horses. If a good two-year-old comes out, stick to him till he is beaten, unless he has to carry such a penalty that his victory would seem impossible. Remember that to a speedy and early two-year-old, running six furlongs is nearly equivalent to a five-furlong horse of maturer age running a mile. You cannot make some two-year-olds get six furlongs. They stop after going five as if they were shot. If two animals of apparently the same class have to run a longer course than they have travelled before, back the gamer of the two, the one that you believe will run the longer. You have much greater pleasure during the race if you do so, and although the other one may be pulling over your selection in the early part of the struggle, the moment his jockey begins to ride him you know you have won your money.

If you find an animal is at a longer price in the

betting than you anticipated, and you know of no good reason for his being so, put a little more money on him than you intended to wager. It will pay you in the long run for having to take short prices about 'good things.' It is a good plan in the morning to go over the performances of horses that you intend to back, but if you keep a handicap book—that is, if you handicap the first three or four horses in races, by putting on to or taking off weight from what they carried, so as to reduce them as nearly as possible to 'a dead heat on paper,' as all good handicappers ought to do—do not rely implicitly on your calculation, or you are sure to lose. Your book cannot take into consideration the improvement of horses with age, or with work, or with *less work* (which latter is, I generally find, a very frequent cause of improved form). Backers, again, are far too apt to forget what very great differences exist in various courses that races are run over, although the distances may be the same. A horse may distinguish himself greatly on the five furlongs at Epsom, all down hill, and be wholly unable to show to advantage over the severe five furlongs at Sandown, all up hill. No doubt there might well be a difference of a stone in a horse's running at these two places, and where would your book be then?

For several years I kept a handicap book, and took the greatest pains with it, but when I had thoroughly tested it I gave it up in disgust. One particular reason for doing so was the following:—One day two horses were in a race. It lay between them, as the others were outclassed. I made up my mind to have five hundred pounds on one of them,

but before doing so I consulted my book, and found to my horror that the other had five pounds in hand. I was greatly puzzled what to do, but in the end I chanced my book (having had misgivings about it on several occasions before) and backed my own fancy, which won cleverly a length and a half. During the race my feelings were extremely mixed. I was apprehensive and bothered at the idea that my carefully compiled book would very likely prove to be wrong, but still more apprehensive and bothered at the idea that it might prove right and I should lose my money. Now, I only handicap certain horses from one week to another, relying always on the latest form, provided I can ascertain that there is no particular reason why that form should not be right. I say, also, to the beginner, Provide yourself with a good pair of glasses, watch each race with the greatest attention—not only the horse you have backed in it but all the others, or as many of the others as you can—and note what you think was second and third best if an animal wins easily and the rest are not persevered with right past the post. Do not bet on every race—that is fatal—but pay the same attention to those you do not bet on, and you will find the pleasure of watching them is the same, if not greater. Never bet on selling handicaps, which are the most odious kind of races run on the contemporary turf, and detrimental to the good of the sport and the breed of racehorses, inasmuch as a certain number of worthless animals are kept in training every year, especially for this class of race. If a gentleman says to his trainer, 'I must get rid of this brute,' his answer is sure to be, 'Oh, keep him a little longer, sir; I think I can get him through a

selling handicap!' Besides, my great objection to this class of race is that it is not fair for horses to be entered all to be sold for one price, 100*l.*, and for one horse to be called on to give another of the same age two stone or more. I hope to see selling handicaps done away with, but some years ago when, as already remarked, I proposed at a Jockey Club meeting that they should cease to exist, many members rose and protested against my motion, as if they were Clerks of Courses themselves. Their defence of these wretched affairs was based on the fact that Catterick Bridge and other small northern meetings would cease to exist if selling handicaps were abolished, so they still continue in great force, and anyone who likes to go down to Alexandra Park (of late years, I must say, an admirably conducted meeting, in spite of the occasional presence of 'the rough element') may, after one of these races, become possessed of half-a-dozen or a dozen 'racehorses,' sold at auction for prices varying from five to twenty-five guineas each.

It is bad, again, to bet on big nurseries at what is called 'the back end.' Even if your money is on the horse that really has the best chance, it does not at all follow that he will be returned the winner, as the starter has immense trouble with the lads and apprentices that ride the lighter-weighted horses, and after a long delay at the post, caused by repeated false starts, the fractiousness of the horses, and, I regret to say, sometimes of the jockeys, he is so sick and disgusted with them that he is often glad to drop his flag to even the semblance of a good start; hence the result of the race is often a lottery, and you

might as well toss up or draw numbers out of a bag for your money.

Far and away the best races to bet on are the weight-for-age races, and to my taste they are also the most interesting. I go so far as to say, from long experience, that if a shrewd and careful backer keeps his head, does not plunge or risk more than he can conveniently pay on the Monday, and confines himself to betting on weight-for-age races, he can make a certainty of winning money every year; but he must work hard at the public form of horses, be unprejudiced, and have a certain knowledge, which may come to him instinctively or be acquired by years of well-paid-for 'experience. For a man thoroughly to understand racing he ought to have sedulously followed the sport for fifteen or twenty years, and to have had hundreds of all sorts of race-horses through his hands. I never was fortunate enough to own a really first-class animal. They want no attention, they win for themselves, and you need not trouble your head about 'placing' them. It is the bad ones that cause you an anxious time. No one but a very rich man could afford to keep a stud of bad horses year after year without betting; indeed, a man is very lucky not to lose enormously by them, however good a judge he may be. Still, you have to own bad horses if you cannot afford to breed good ones or to give enormous prices season after season for yearlings, and I for one, who speak from experience, do not hesitate to say that it is, and always has been, a great pleasure to me to win a quantity of little races with moderate horses. You must not fly at too high game.

It has, perhaps, been my fault that I have contented myself with winning small races with horses that might have done better if they had been kept, and sometimes the modest owner is too easily pleased. In 1882, for instance, I saw a very good-looking five-year-old, called Hornpipe, running in a selling race at Windsor. He looked very unfit, but likely to win races when wound up, and I asked a gentleman who had a horse running to claim Hornpipe for me. At that moment I caught sight of the trainer, Tom Brown, and asked him if he would take 200*l.* for the horse, and he consented, provided I gave him a trifle out of the first race he won. Hornpipe went to my stable and made rapid improvement—greater, indeed, than we thought—and a fortnight or three weeks afterwards he won a handicap at Newmarket July Meeting by ten lengths, beating a large field. If I had kept him for the Stewards' Cup at Goodwood he could not have had more than 6 st. 5 lb. on him, and would have won to a certainty, as Lowland Chief, the winner, would have had to give him 2 st. 3 lb., which, good horse as he was, he could not have done. I shall have more to say about Hornpipe in another part of the book.

One year, with a very moderate lot of horses, I was fortunate enough to win more races than any other owner, owing to the circumstances of my being contented with small races, and not soaring too high.

In buying and breeding yearlings, always endeavour to get those that have staying blood in their veins. If a man can find a horse that stays a mile and a half to two miles it will be very easy to win plenty of races with him. There are hundreds of

five-furlong and six-furlong sprinters, but the real stayers you can almost count on your fingers, and probably in a few years' time they will be rarer still. The enormous quantity of two-year-old stakes has to answer for this. Breeders do not direct their attentions to producing stayers: speed and fashion are what they look to, and are quite satisfied if a yearling they have sold the year before at Doncaster comes out and wins a 500*l.* two-year-old plate before their next sale takes place. Year after year, too, foreigners come over and buy our soundest horses for stallions, and our best mares for brood mares. Who cares, when a Derby winner had for a sire a second-class horse in Master Kildare, and a selling-plater for his dam? Verily, there is luck in breeding when this can happen, and when in some years the produce of all Lord Falmouth's valuable and beautiful mares hardly won enough to pay for their forfeits. It is curious that the latter nobleman scarcely ever bred from a stallion of his own, always sending his mares all over the country to be mated, Adventurer having been a special favourite of his. Nothing would ever induce him to patronise Hermit, but I cannot help thinking this arose from obstinacy, and that he would have done well if he had sent some of his mares to that wonderfully successful sire.

A few words here on the subject of the Ring. Taking the members of it as a body, there is little legitimate fault to be found with their methods of conducting their business. There are, no doubt, some black sheep amongst them; but it is easy to steer clear of these. A man ought to be careful to bet only with those he knows, or if he wants to take a

bet from a man he does not know, to ask for a reference at the moment. If the bookmakers did the same thing, as they ought to, they would have considerably fewer bad debts on their books than is at present the case. If they are treated courteously they will be found civil, and even obliging. Above all, never break faith with them. Recollect that the whole foundation of betting between backers and layers rests entirely on honour—'parole,' as the French would say.

If after a bad week a backer finds himself in the painful position of having lost more than he can pay, and if he does not care to go to 'the Accommodation Market,' as it is called, in order to settle on Monday, he should see his creditors himself, explain the state of the case, name the day on which he will be able to set matters right, and scrupulously remember if *they* have a bad week and their account is not settled their credit is gone for ever, and men would fight shy of betting with them for the future. Never let your account be missing at Tattersall's, and always have it returned to you with crosses against those you have paid and received from, so that you may file the accounts and be able to see at the end of the year on which side the balance is. It is a good plan to make out your account every night after a day's racing; then at the end of the meeting or the week all you have to do is to add the pages together. You will find this will save no end of mistakes arising from your forgetting whether you lost or won on a certain race early in the week, if you have omitted to put 'lost' or 'won' to the bet in question in your book; you

cannot be too careful in making these points distinct, and if you have occasion to bet with several men on a race, write down the bet as you take it from each. If you do not do this, sometimes you will find you have booked a bet to the man standing next the real layer, and this gives rise to endless confusion and annoyance.

The chief fault I find with the Ring is their anxiety to bet in large sums at short prices with plungers, and their laying under the odds to novices. Of course, provided they do not *tell* you a horse's proper quotation is 6 to 4 when it is really 2 to 1, they are quite at liberty to offer you the first-named price, and they are not doing wrong if you are foolish enough to take it; but I fear sometimes one or two of them go a little beyond this, and I am not surprised at it, considering the way they have at times been treated by men who go up to them race after race, and at the end of the week, having 'gone for the gloves,' which simply means a deliberate and fraudulent intention of getting home or not paying one farthing, treat the matter as a joke, and no more think of settling than of blowing their own brains out! I recollect years ago at Warwick, the last day, a gentleman saying, 'Confound these fellows, they think I know something! They won't bet with me.' They did 'know something'—they knew that he would not settle on Monday, and they were right. Sometimes they freeze up the last day of a week's racing that has been extra profitable to them, and then, certainly, they hear no good of themselves from exasperated backers who cannot get enough on a good thing. Once a backer said to the late George

Taylor, 'Taylor, you brute, what short prices you lay!' 'Quite right, sir, as short as ever I can! was the reply. I should like Fry, Steel, Emerson, Baylis, and others, to publish their lists of bad debts made during the last few years. People would be astonished at the amount owed to these men, yet they rather condone the fact of being owed money by hardly ever applying the remedy of making the loser a defaulter, and all sorts of people are going about to racecourses now owing the Ring money, the creditors hoping some day to recover a portion of it. The most disgraceful part of it is that some of these defaulters are owners of race-horses, gentlemen riders, and so forth. Personally, I have no pity for bookmakers who do not post a man for owing them money, after they have given him a reasonable time for payment. If this were done, a healthier tone would be given to betting, there would not be so much reckless plunging as there is, and it would be far better for backers and layers. I recollect once, on the day the Two Thousand was run for some years ago, I was standing talking to Henry Steel, for whose judgment I have a great respect, and whom I have always found most straightforward in all his dealings. By his side was his trusty partner, Peech. All of a sudden I saw the latter make hurriedly off in a bee line through the scattered crowd that thronged the bird cage, and on asking Steel what was up, he laughed and said, 'Oh, nothing, Sir George, it's only Bill after a bit of old,' meaning that he had seen a man who had owed him money for some years, and had gone to give him a gentle reminder of the fact.

Betting nowadays is a very different thing from what it was twenty years ago, though the plunging days were before my time. Peech relates that on the morning of a great race, when a mare of Lord Hastings's was a hot favourite for the One Thousand, the Marquis sent for him, Morris, and several other prominent bookmakers, and after treating them to champagne, he said, 'I have promised John Day, my trainer, that I won't lay the slightest shade of odds *on* my mare, but I will bet you all as much money as you like at evens.' After some little demur they betted him 20,000*l.* evens. The mare was easily beaten. The day has gone by, too, when you could back an animal to win 100,000*l.* for the Cesarewitch and Cambridgeshire, although as late even as Rosebery's year, Steel, who had the commission, backed him to win that sum for the first event. Now and then there has been heavy gambling at short prices on small races, and on a Thursday at Newmarket, towards the end of 1882, a day on which only races of trivial importance were decided, a friend of mine showed me his book, which contained a loss of 27,000*l.* on the day, that gay deceiver Sachem, if I remember rightly, having contributed largely towards this melancholy result.

Mr. Buckworth Powell, well known in the West of England, told me at Salisbury races a curious story about a bet.

He expected that a relative would leave him a legacy of 10,000*l.*, but when the will came to be read, to his surprise he found he was only entitled to a hundredth part of that sum. He determined to invest this at long odds on some horse entered

for the Cambridgeshire, before the weights were published, and his fancy for some reason or other proved to be See Saw ; he took 10,000 to 100 about him, and had the pleasure of seeing the horse win the race. It is not very often that one hears of double-event bets being both landed, but Count Jaraczewski took 10,000 to 100 about Robert the Devil for the Cesarewitch and Lucetta for the Cambridgeshire, and stood the bet out, although after the objection to the latter, and the long time the Stewards (of whom I was one) took to decide it, he hedged a thousand or so of the money. Everyone congratulated him on his good luck, as he was very popular with his friends.

The mention of this gentleman's name induces me here to interpolate a few particulars about one who was so well known and popular in London society, even at the risk of being told that they are not precisely pertinent to the subject of this chapter. The Count's life had been a chequered one. When he came to London, about 1873, he knew only Mr. Payne and Captain Little from having met them at Nice ; they got him elected a member of the Turf Club, then in Grafton Street, and being a good whist player, and most amiable and courteous, he soon gained many friends, and made England his home to the day of his sudden death in the spring of 1881. He once told me the story of a duel that he had had before any of us knew him, which resulted so tragically, that he always affirmed nothing would induce him to fight another. A young lady, a great friend of his family's, had been brought up with him. He lost sight of her for a year or two, he having been

travelling about the world while she was married. One afternoon they met in the street of some foreign town, and she insisted on his coming to dine with them that night, to be introduced to her husband. When he arrived at the appointed hour he found her alone in the sitting room, and going up to her embraced her on the cheek, as he had always been accustomed to do. At this moment her husband entered the room, and being of a fiery and uncontrollably jealous temper, he would listen to no reason or explanation, and insisted on their fighting the next morning. Seconds were procured, and the duel took place at a favourite spot just outside the city. The husband took a calm aim at Jaraczewski and missed him, the latter firing in the air. The seconds would not allow the duel to proceed, upon which the irate husband went up to my friend and struck him in the face, upon which the latter said, 'There was no reason before for this senseless duel, therefore I did not fire at you ; now, however, I shall avenge this insult.' At the first shot Jaraczewski hit his adversary in the knee, and mortification setting in he died in a few days' time, not, however, before a complete reconciliation had taken place between them.

In spite of my friend's resolution not to fight, he did not keep it, as he became involved in an affair at Nice about three years after he came to England, and narrowly escaped being shot through the heart. Some members of the Cercle de la Méditerranée were dining at that club one night, when one of them thought it a good joke to mix some Harvey sauce and vinegar in a glass, sending it round to old Count Crassousky as excellent Tokay. The Count, not

smelling a rat, raised the glass smilingly to his lips, at the same time bowing to the sender. Of course, the moment he tasted it he made a wry face and angrily put down the glass. Jaraczewski said he would take it upon himself to deal with so gross an offence to his countryman, who was too old to fight, and a duel was at once arranged. The conditions were that, at a given signal, the combatants might either fire at once or approach each other to a specified point. The hair trigger of Jaraczewski's pistol must have been set very lightly or else his hand had lost its cunning, as his weapon went off accidentally as he was raising it to aim. His adversary stopped, took what is vulgarly called a 'pot shot' at him, and rolled him over like a rabbit, a tiny puff of smoke coming from the left side of the wounded man's black frock coat, which made the seconds fear that he was mortally hurt. By a fortunate accident the bullet had hit one of his ribs close over the heart, had glanced round his body and made its way out through the back of his waistcoat and coat, a truly marvellous escape. I myself have seen the coat and waistcoat, and have put my finger on the dark red mark—the size of a florin—exactly over his rib. I have not the slightest doubt that such a shock accelerated the heart disease from which he eventually died. His death was not a great surprise to some of us who have seen him catch his breath as if suffering from a momentary spasm, and I take this opportunity of denying most emphatically a rumour that he died by his own hand. Only a few nights before his death I dined with him and went to the theatre. He was in excellent spirits, and not worse off than he had often been before. Further-

more, if he had been in immediate want of money he had some good friends then who would readily have helped him. I shall ever look back on him as a chivalrous, kind-hearted, and brave man, who for years, it is true, had lived by his wits, but who was incapable of a dishonourable action.

To return to my subject of betting. Try and lose and win your money with equal imperturbability. A boasting, boisterous winner is almost more odious than a whining loser, though there are occasions when some fine performance of a favourite horse may draw from his owner or some enthusiastic supporter expressions of satisfaction and approval. When you are in a winning vein for several weeks be thankful for your good luck and do not forget that the reverse of the medal is quite certain to be presented shortly, perhaps when you are least prepared for it. Still, I am all for making hay whilst the sun shines, and confidence often makes one's wits clearer. The late Mr. E. Brayley once exclaimed that 'he was tired of winning.' His luck quickly changed after this speech —for years he won very few races, and died in very moderate circumstances.

It is related that when Black Tommy, the property of Mr. Drinkald, passed the post for the Derby, locked together with another horse, believing he had won, his owner shouted out excitedly, 'Thank Heaven I have won the Derby, and nobody is on!' meaning that none of his friends had backed the horse. A second later, when the number went up, to his intense mortification, and to the frantic delight of his friends who had heard his remark, he found his horse had been beaten a short head.

I recollect seeing poor Charles Brewer—when Robert the Devil was sailing away in front at the Bell in the Derby, and Archer was seen to be riding Bend Or two lengths behind—surrounded by an admiring crowd of friends who were patting him on the back whilst he was complacently pointing to his horse as much as to say, '*There's* a horse for you!' and even after they had passed the post, believing he had won; but five minutes afterwards, great as the disappointment must have been to him after his acceptance of victory, he was talking it over as coolly and collectedly as if it had been a small selling plate.

The owner of Paradox, too, took defeat well in Melton's year, measuring with his hands what the distance of a head would be, and exclaiming, 'By Jove! to be only that much off winning the Derby: I shall never get as close again!'

You never could tell by Lord Rosebery's face whether he had won or lost. Still, sometimes it is refreshing to see the beaming face of some young man who has pulled off a good bet, particularly if you happen to know that it is a 'retriever' to get him home on a bad week. I have pleasurable recollection of a grin from ear to ear of a friend of mine only last year at Brighton August Meeting when he had taken 1,600 to 200 about Kaikoura in the Light Weight Plate. Things had been going very badly before with him, and this win meant much.

However, it is these very retrievers that I want to warn inexperienced and reckless backers against, as they generally turn out disastrously, and, whereas before you found yourself within *measurable* distance from home, the matter has now assumed such propor-

tions that you only thirst for the numbers of the next race to go up to plunge madly on the favourite again, and so on till the last race is run and you turn hopelessly away, knowing that it is impossible you can settle your account in full on Monday. It is then that thoughts get into your head that ought to be banished at once if you wish to remain strictly honourable. 'If they make any row about my not settling I'll see them somewhere before they ever get a shilling,' is a remark that has been made after a disastrous Ascot or Houghton week.

All the same, if men will bet, I strongly advocate betting at Ascot. Many weight-for-age races are run, and the best horses in training are always seen out there and at Goodwood—both favourite places of mine for winning money. Beware of Newmarket! awful are the upsets that take place on the famous heath. I believe the reason of it is that horses can see such a long way in front of them *beyond* the winning post, especially on the T. Y. C., Ditch, and Abingdon Mile courses. They do not know where the post is (nor do most of the jockeys, by the way), and this discourages them. The Rous course contains many traps for a favourite if he happens to be back at the knees, or if his shoulders are wrong. No sooner are they at the top of the hill than down they go into the Dip, and it takes a lot of getting out of, and up the hill home. That Dip has been fatal to many a horse's chance when he is beginning to tire, and is all abroad, floundering, in fact, before his jockey has time to pull him together. If you walk over the Rowley Mile you will be surprised at the many changes that take place in the

course, and if you walk briskly up to and past the winning post, and, not stopping to do so, thrust your stick in the ground exactly in what you think is a straight line between the two posts, when you have contemplated your attempt you will be charitable in future about any jockey not much accustomed to ride at Newmarket whom you see beaten a head on the post. Here, by the way, let me add, that if you bet about the result of a race before the number goes up you should never do so 'absolutely,' which is the way the Ring will want you to bet. If you say, 'so-and-so has won for ten *absolutely*,' and it is a dead heat, you lose your money. From the stand at Newmarket, it is very difficult at times to tell what has won after a close finish, and I can recommend the backer to follow Steel, who always bets on such a result and is nearly always right.

Systems in betting are decidedly fallacious, and I advise no one to try them. M. Blanc, the proprietor of the gambling rooms at Monte Carlo, once said, 'I welcome heartily all who come to try their systems at my tables; if only they stay long enough, they are sure to lose everything they have got. The finest system a player can have is to back the winning colour and never to oppose runs.' My experience at Monte Carlo tells me he was right. About the year 1878, I went there for the first time, and on approaching one of the trente et quarante tables there was a run on the black, and not a single louis was on the red. Being somewhat ignorant of the game, and with the firm conviction that those magnificent rooms and gardens were not kept up by the losses of the bank, I opposed the run with a few louis, and lost

time after time, some of the players looking at me compassionately, as they raked in their winnings, as much as to say I was mad. I lost all that I had in my pocket, fortunately amounting only to a thousand francs, but I am sure I should have continued backing the red if I had had more money with me, and I should have gone on losing as there was a run on the black of about fifteen or sixteen. At that time it amused me to play, and I used to go over there from Nice with two friends, each carrying small sums. We would sit down to play in earnest, but always agreed to meet in the rooms at a certain hour, and we had great fun one day when we discovered our funds were so low that a sum had to be put on one side to pay for our dinner. Oddly enough, when we met for that meal at the Hôtel de Paris, then in the hands of the Administration, which provided admirable fare for all at a more moderate price than that charged by the present company, we had all three won back our losses and a considerable sum besides, and consequently were in high glee. François, that most civil and obliging of head waiters, then presided over the dining-room, but when the hotel changed hands he went to the Grand, which at once became the fashionable hotel, and the greatest epicure could not wish for a better dinner than is served in the beautiful room decorated in the Moorish fashion. Here, after dinner you get *café à la Turc* served hot and frothing in perfection, by a black, attired in his native costume, and if you do not feel inclined to go to the concert or the gambling rooms, you can sit comfortably smoking your cigar under the arcades of the hotel, looking on to a

square adorned with palm trees and other tropical plants.

One day the following year I determined to play all day at one of the trente et quarante tables, with the result that I returned to Nice, the loser of one louis, and was warmly congratulated by some friends, who exclaimed when I related what I had done, 'Mais, c'est une victoire!'

I had now learnt to play carefully, and about the first week in January 1882, I and my friend, Mr. Reuben Sassoon, went to stay for a fortnight or three weeks at the Hôtel des Anglais at Nice, and I undertook to guide him in the mysteries of the tables, assuring him it was almost a certainty if one kept one's head. We sat together, and pursuing the policy of always following the winning colour, withdrawing a portion of our winnings, and playing what is called 'flat stakes,' that is, not increasing when we lost; and we won day after day. My friend, however, was not content to sit still for two hours at one table, and the charms of roulette were too much for him, so he gradually lost back all his winnings. One day a player, who was keeping elaborate calculations, said to him, 'Number so and so hasn't come up for sixty odd times.' 'Now is my time!' exclaimed my friend. He had had bad luck before, which had reduced the sum he had brought with him. However, he backed the number 'en plein' till he had no more money in his pocket, and had the mortification of seeing it turn up the second time after he had left off playing. Another day we had arrived about 4.30 in the afternoon as usual, and I had won the exact sum that I always then brought with me, five thousand francs.

We met, and my friend said, 'Aren't you playing?' I answered that I was not, having won just what I wanted. He said, 'Do you mean to say you won't play again to-night?' and I replied that I should not. After dinner when we had nearly finished our cigars, I proposed an adjournment to the rooms, when we parted, he saying incredulously to me 'You mean to say you won't play again?' I meant 'No' at the time, but being bored with watching the play, and knowing we should not return till the last train, I thought I would venture five hundred francs, which I did and lost. To make a long story short, I lost the 10,000 francs I had in my pocket, and angry at having been so weak, I turned to an old gentleman called Cellier, who makes hundreds a year by keeping seats for players and lending them money, and asked him for 10,000 francs, half of which I staked at once and lost. I told him to put the remaining half on. I won, left it all on, and won again, and was content to take the 20,000 francs off the table, paying him back his loan with a few louis, and went off to seek my friend. Fortunately he said to me, 'Have you still got your winnings?' and his question enabled me to reply in the affirmative, and to produce the notes out of my pocket.

'Wonderful!' he said, and not till a year afterwards did I confess to him how nearly his good-humoured chaff made me lose a large sum.

My reminiscences of Monte Carlo include an Italian gentleman, who was playing a system, all the available space at the table being crowded with papers and packets of bank-notes. Having watched him for some time, I was convinced he would not last, as he doubled his stakes often when he lost, and

sometimes had to resort to the biggest packet of notes as a retriever. He soon disappeared. An English gentleman near me was playing a system one day and I heard him say, 'Yes, this is the only one, Labouchere's system. You can win fifty or sixty louis a day at it.' Two days after I saw him dejectedly watching the billiards in the hotel opposite the Grand, and learnt that he had been cleaned out. I once saw a row take place at the tables, between a Spaniard and M. Oeschlager, an owner of horses. The latter behaved well, telling his antagonist that he would 'speak' to him after the deal was over, but on some well-meaning bystander whispering to the Spaniard that his opponent was the best shot on the Continent, an amicable understanding was come to.

A propos of Monte Carlo, it is usual for the Administration to give a grand dinner to celebrate the finish of the pigeon-shooting season, followed by a display of fireworks, which on a still night light up the bay of Monaco, and give a singularly beautiful effect to its picturesque surroundings. One year, at one of these festive dinners, a gentleman, who only knew a few words of the French language, having won one of the principal prizes, had his health proposed, and rose to return thanks. Knowing the task that was before him, he had carefully learnt a few words as a reply to the toast. Whether it was the length of the dinner or the excellence of the wines that made him forgetful I know not, but when he got up, and the cheering that greeted him had been subdued, he began in faltering tones, 'Messieurs!' Then there was a pause. At length he repeated 'Messieurs!' upon which an important guest called out 'Faites le jeu.'

This fairly settled the speaker, who again stammered out the word 'Messieurs;' but he collapsed utterly when the aforesaid guest shouted 'Rien ne va plus,' and sat down amidst the good-humoured laughter and chaff of all his friends.

Having been carried away to foreign lands by the mention of the word system, I return to my humble advice about systems in betting. The only moderately good system I know of in betting is one that was often adopted by Captain Batchelor. It was to back the favourite of the first race at a meeting to win 5*l*. If the horse lost, he had to back the favourite for the next race to win that sum, and the sum he had lost on the horse in the previous race. This is not a double-or-quits system, because he had the advantage of the odds against a horse, and made it a rule never to lay more than 5 to 4 on an animal. He worked this system with some success, but said that the calculation of the odds was extremely irksome. Let my reader take up any calendar of the last twenty years, and he will find this would be a successful means of winning money, provided the backer had the capital to stand losing a large sum; and, what is equally important, provided that he could induce the bookmakers to lay a heavy sum against the favourite, after things had been going so badly that the figures had become large. I would suggest that backing second favourites on this system would be more profitable, owing to the much better price you can always get about them. Indeed, I strongly advocate backing second favourites outright, if you are disappointed in the price of the leading favourite, and at any rate saying on him, as often a horse is

rushed into a prominent position, either because he has won an extraordinary trial, because the Ring know that the owner is going to have a dash on it, or because he hails from a fashionable stable, all of whose patrons are sure to be on, or for a variety of other reasons which do not hold good if you calmly calculate the chances of the horses in the race.

Captain Batchelor was an extraordinarily superstitious man. One day I heard him say coming down in the train. 'What a bore it is the Houghton week lasts six days, I am obliged to take down six different suits of clothes.' If he lost the first day he would not think of appearing in the same suit the next day, and so on through the week. He had a mania for touching with his stick pieces of orange-peel or paper that he saw in front of him as he walked, and I often suggested what fun it would be to walk some little distance in front of him, up Piccadilly or St. James's Street, tearing up pieces of paper as one went. It would have taken him a considerable time to walk a hundred yards. He was a very fine whist player, playing a peculiar game of his own, and preferring to play in a muff rubber. He always in dealing gave vent to a peculiar hiss as he turned the card up, and invariably turned his cards three times over, and stroked his forehead before looking at them. To many owners and race-goers, Captain Batchelor will be chiefly known from the fact that he started a ten thousand pounds yearling book on the Derby in St. Bevys' year, and did very well with it. He was a most agreeable companion, with little weaknesses like other men, one of these being that he was rather a gourmet. One day on my asking him what he liked

best in the world, without a moment's hesitation he replied, 'My dinner.' Never well off, he was always honest and honourable, a good hater, but a sincere friend. The few last years of his life he suffered much, but was always patient and good-tempered, and he swore by Mr. Alfred and Mr. Leopold de Rothschild, who were the kindest and most generous of friends to him, as they always are to any one they like.

After this long digression, my readers will perhaps understand that I recommend them to back the public horse, in preference to the dark horse, to eschew systems, to play up their winnings without being too greedy, a fatal fault, and to cut their losses as much as it is possible.

The mysterious backer is a source of great amusement to me. He delights in street-corner tips, and listening to information given in out-of-the-way places on racecourses. He disdains public form, revels in stories of moonlight trials, rushes to back any horse because some tout has told him 'It *is* his journey this time,' that 'he is on the job to-day,' and has inspired him by some such vulgar expression. He eagerly reads all the training reports, carefully studies account of trials in some of the papers that are supposed to convey marvellous intelligence gratis. If he does happen to back a winner, some horse whose public form is not well known, he delights in assuming an air of mystery. With nods and winks and half-finished sentences, he gives his friends to understand that 'he knew something that time.'

He reminds me of the Irishman who when, 'Going out to steal, he stole, And chinking his money, he chunk, And many a wicked smile he smole, And many

a wink he wunk.' He hates people to think that he ever loses, that he is not perfectly 'au fait' with everything that takes place in the racing world; but invariably towards the end of a bad week he discards all private information about which he had so much to say before, and plunges wildly on the favourites, or on the information of some friend whose advice he would have scorned earlier in the meeting. This class of man never lasts unless he has a good income. He goes on concealing his losses, and vaunting the few winners he does back, till he reaches the end of his tether, as he rarely has the prudence to give it up in time, before it gives him up. It is the old story of good money thrown after bad, and yet the noble army of backers has fresh reinforcements every day. As some go, others take their place, with the idea they are cleverer than the rest, that they won't be reckless, that they will limit themselves, tie themselves down never to have more than a fixed sum on any race. Good resolutions *never* kept. The day comes when they lose race after race, when they are only panting for the numbers to go up, that they may back something, retrieve a part of their heavy losses. Still the favourites go down. There is one more race. This time the favourite *must* win! So intent is the infatuated backer, writing down his bets, he hardly hears the cry, 'They are off,' so busy is he with the bookmakers. As the horses near the winning post, he rushes to see the finish, a shout is raised for the favourite, and for a few strides he looks like winning, but an outsider is pressing him hard, and he doesn't relish the high pressure. A few yards farther and his jockey is at

work on him, then out comes that forlorn hope, the whip; but it is of no avail, the outsider stays gamely on, and amidst the yells of the fielders just holds his own to the end, and wins by a head. It is the last race of the meeting, and the backer returns home a sadder, but rarely a wiser man. How many of these races have we seen in our lifetime, and how little have we profited by the experience, and how impossible it is to din that experience into younger heads! Clever is the man who bets bravely when he wins, and like a coward when he loses; you need never fear for him. He will have little difficulty in settling his account on a black Monday, and if he is a good judge, his account will be on the right side at the end of the racing season.

It is wonderful what keen interest the general public take in racing, and the knowledge they possess about the merits of racehorses. Not long ago I travelled to Kempton in the same carriage with some men whose profession could not be many miles from Covent Garden Market. After they had gone through the day's performance of races, showing how well they were acquainted with the horses that were going to run, their failings and their strong points, the conversation turned on their business, and I was much amused at one man stating, in reply to another's question, 'What is so-and-so doing now?' 'Oh, all berries and grass'; and he further added, 'You wouldn't believe it, that, although I have sold hundreds of baskets of berries this year, I haven't as much as tasted one!' From this I gathered they had been talking of strawberries and asparagus. Over and over again I have asked bookmakers, after a race

won by a public horse, which for some foolish reason those supposed 'to be in the know,' including myself, have omitted to back, owing to a report that the horse was amiss or had been beaten in his trial, or any other reason why we were stupid enough to ignore his form, 'Did you lay against the winner?' and the inevitable answer has been, 'Oh, yes; the general public were on to a man.' Good judges are the general public, as a rule, but sometimes they are a little hard on a jockey who comes too late, either from having been tied down to wait with his horse, his owner and trainer believing he will hardly last home, or because he had been shut in at an early part of the race, which they have failed to perceive, from the impossibility of seeing the race from the fall of the flag, or because most of them are unprovided with race-glasses. I well remember one of our most famous jockeys—the one whose riding I most admire—telling me he believed he could have won many races in which he suffered a neck or half-length defeat, owing to not having dared wait as long as he could have wished to do, 'because the public are so hard in their judgment on a jockey if he does happen to come too late;' and I hope these few remarks will influence those who have cried out, and blamed jockeys who have been unfortunate enough to have incurred their displeasure by coming in second and losing them their money (this is where the cap fits), although they have done their level best. Some of the finest ridden races I have ever seen have been by jockeys who have been just beaten, and praise ought to be given to *them* just as much as if they had been successful.

Nothing can be more foolish, and I speak feelingly, than 'throwing away a tenner on something for an interest.' I am not ashamed to say, I often have, and the money has generally gone without much interest attached to the bet. A great friend of mine rather contemptuously said, in answer to the question, 'What did you do on that race?' 'Oh, I only won twenty pounds.' Mr. G. Payne, who happened to be standing by him, said grimly, 'Hah! you don't think much of it here, but meet a friend in the street and ask him to lend you that sum, and see the face he makes!' Money is lightly made and lost on a racecourse, and these tenners which we backers throw away are as much of an income to the Ring as the waste of mustard on a plate is to Mr. Colman, who, so the story goes, makes five thousand a year by the leavings of that indispensable relish. If the horse you want to back is at a very short price, and you only wish to risk a modest sum, back the one that has the next best chance in your opinion, if you have one, but rather than back a horse *because* he is at a long price, don't bet at all.

The following authentic story will show the hold that racing possesses over all classes of people. On the day that Donovan won the Prince of Wales' Stakes at Leicester, a lady, who had never been on a racecourse in her life, made a call on some friends who reside in a fashionable square in London. The footman answered the bell, and in reply to her inquiry if the young ladies were at home, answered 'No, ma'am,' and then almost in the same breath added in a confidential tone of voice, '*Donovan's won.*'

The Ring are rather apt to be down on young

gentlemen ignorant about prices. Often when they have offered 70 to 40 against a horse, and it has been refused, they have said, with an air of doing a favour, 'Very well, then, put down a 100 to 60,' and it has been greedily accepted, the taker not seeing that it is a worse price than he just refused. There are times when it is advisable to accept a short price, if offered, to any money. For instance, if I was doing a big commission about a favourite, I would rather take 600 to 400 in a bet from a good man than I would take 2 to 1 to small sums all down the rails, as, by the time I had got the money on, the price would average the first bet I mentioned, and there is the trouble of writing down a lot of names as well. Small punters —those that bet from five to thirty pounds—invariably obtain better prices than high bettors. Bookmakers who know them deal liberally with them, knowing they will come to them again; besides, to have a connection with a quantity of small punters is very valuable to them in the long run, though, apart from that, I have often heard them refuse to lay the price asked for, and then relent, saying; 'If you only want 5*l.* on I will lay it you.' I always like to speak of people as I find them, and the bookmakers have always behaved well to me. They always trust a man till he acts unfairly to them, and as all their business is conducted on 'parole' they are firm believers in a man's honour. Any well-known backer, if he happened to want a thousand pounds in notes on a racecourse, could easily obtain it from the Ring, who would be quite satisfied with his telling the lender he would put it in his account on Monday.

They would not think of asking for an acknowledgment or I O U for the money. Can my readers tell me of any other class of men in business or otherwise that would do as much for a man they were not particularly interested in?

After a week's racing in which the favourites have been successful, the settling on Monday is always a good one, and it is exactly the opposite when the result has been in favour of outsiders, when favourites have been bowled over and public form has been upset. This is a fact that in itself speaks highly of the Ring as a body. Of course, they have far greater advantages than the noble army of backers. Race after race they can make their book, or ought to be able to make it, so as to have one or two horses running for them, by whom, in the event of one of them being successful, they win a large sum of money, without standing to lose much by the victory of one of the leading favourites. Of course I am speaking of races where there are eight or ten runners. They get hard hit at times in a small field of horses where backers will have nothing but the favourite. They are extremely charitable, and are the first to subscribe to any deserving fund, even if it does not directly appeal to them, and they are always ready to accept the decision of a third uninterested party about a disputed bet, rather than that it should have to go before the tribunal chosen to arbitrate on such matters, which, however, both at Tattersall's and especially at Newmarket, does its work exceedingly well, and is respected by both backers and layers.

Bookmakers, especially those that pay starting prices, are often the victims of the unscrupulous.

Some time ago a man came to my commissioner and gave for references the Duke of Portland and Mr. Leopold de Rothschild. At the time it was impossible to ascertain if the references were correct, but inquiries were made from other sources, which proved that the would-be backer was a rogue. Within a few hours of my writing this a similar attempt at fraud has come to my knowledge. A man went to a starting-price office not a hundred miles from Shaftesbury Avenue and gave excellent references, a well-known bank being one of them. The bookmaker, foolishly, never attempted to ascertain if the person was worthy of credit. On the Tuesday of the First Spring Meeting he went to the office and put 400*l.* on Heaume, and on the following day he put the same amount on Surefoot for the Two Thousand. A man who saw him leave the office recognised him as one of the Haymarket gang, and communicated the fact to the too credulous bookmaker. On the Friday the same man wanted 1,000*l.* on Semolina, but this was, of course, refused, and the rascal, seeing that the game was up, disappeared. The money won under false pretences on the other two races was not, of course, applied for.

Unfortunately, when horses have been got at, the guilty people have rarely been discovered and brought to justice. The late Joseph Dawson used to exhibit some beans, drilled through and filled with some poisonous drug, which he discovered in his stable, but I believe he could never find in whose possession they had been. Poor Captain Little told me that at Chester, about thirty years ago, he was riding a hot

favourite, on whom much money had been betted by his stable. In cantering to the post it struck him that there was something wrong with the horse, who carried him as if he did not know where he was going. When the flag fell the Captain had the greatest difficulty in getting him round the turns, and at the bend for home he said the horse would have gone straight on up the bank if he had allowed him. Fortunately he succeeded in steering his mount safely home a winner, and on communicating his suspicions to the lad in charge of the horse, the animal's eyes were examined, and it was found some miscreant had tried to blind him, by throwing a quantity of snuff in them. For many days afterwards the horse suffered acute pain from inflammation; but it is satisfactory to know that the money was landed, and that the object of such a scoundrel was defeated. By such foul play as this the backer may be at times defeated.

If men cannot bet upon races they will find some other subject for their wagers, and this may be an appropriate place to insert some proofs of this assertion, copied from the wager book at the Turf Club.

Mr. Montague Guest bets Colonel Reilly 5*l.* that the Russians attempt to cross the Balkans during the present war with Turkey.—May 7, 1877. Paid.

Colonel Forrester bets Captain Yorke 25*l.* that if there is war between Russia and England, a British man of war is blown up by torpedoes.—July 25, 1877. Cancelled.

Lord Rosebery bets Lord de L'Isle 50*l.* that at the next general election the Liberals have a majority. Jan. 14, 1877. Paid.

Lord Rosebery makes same bet with Mr. C. Sykes.

Mr. Leeson bets General Morris 25*l.* that the Russians are masters of Constantinople before Prince Soltykoff wins the Derby.

Mr. Montague Guest bets Lord Hardwicke 50*l.* that England is at war with Russia within the year from this date.—May 6, 1877. Paid.

Count Montgelas bets General Morris 10*l.* that England will be at war with Russia before 6th May, 1878.

Mr. Lamont bets Major Francis 1*l.* that there will be a declaration of war by Britain within three weeks from February 23rd.

Colonel Napier Sturt bets Lord March 10*l.*, Colonel Henry Wellesley 10*l.*, and Colonel Reilly 5*l.*, that Mr. Gladstone gets in for Midlothian if he stands against Lord Dalkeith. First past the post, petitions barred, both to start.—Dec. 1, 1879.

Sir R. Peel bets Mr. Leeson 10*l.* to 1*l.* that if there be a dissolution of Parliament this year (1878) Her Majesty's Government will have a majority in the next Parliament.

Lord Rosebery bets Lord Randolph Churchill 3*l.* to 1*l.* that he gives an official dinner at the Foreign Office on the celebration of the Queen's birthday this year, 1886.

Colonel Napier Sturt bets Captain Philip Green 10*l.* to 1*l.* against a certain phenomenon (mutually understood) taking place within ten months of this date, July 14th, 1881.

The same again between Colonel N. S. and Mr. Philip Beresford-Hope.

Victor Montague bets Batchelor 25*l.* level that there is no British force in Egypt in two years from July 26th, 1882. Paid.

Henry Leeson bets De Clifford 25*l.* that Macheath beats Fulmen in the Derby 1883, and 25*l.* Macheath beats Beau Brummel, one to win.

Lord Hardwicke bets Captain O. Montague 10*l.* that if the Liberal Party come into power at the coming election, Mr. Gladstone will be Prime Minister.

Lord Hardwicke makes the same bet with Mr. H. Leeson.

Lord Cork bets Mr. C. 50*l.* that the Conservative Party will not be in office in eight years from this date, April 28, 1880.

Colonel Campbell bets Mr. Montague Guest that the present Government is out of office by the 1st of June, 1881, barring the death of the Prime Minister in the interval, 6*l.* to 4*l.*

L. W. M. bets H. B. 50*l.* that T. W. B. is dead in ten years, and 50*l.* that his personalty is over 20,000*l.*—July 20, 1883.

Lord de L'Isle bets Henry Leeson 3*l.* to 1*l.*, that either Thebais or King Monmouth gets a place for the Liverpool Cup this week.—Nov. 8, 1885.

Mr. Leeson bets Lord Alington 200*l.* to 25*l.* that the Duke of Westminster does not win the Derby of 1889.—Feb. 26, 1888.

Nearly a quarter of a century ago, Blinkhoolie was favourite for the Goodwood Cup, and Mr. Henry Chaplin had backed him for a lot of money. The day before the race he received a message from George Bloss, his trainer, that the horse had pulled

up a little sore after his morning gallop. It might be nothing at all, but he thought it well to inform him. Mr. Chaplin at once went to his friend, Lord Royston, and asked him to hedge some of his money, which his lordship did, and on the day of the race it was found that the mishap to Blinkhoolie was greater than was imagined, so much so that Mr. Chaplin put himself in the hands of the Stewards and Admiral Rous, asking them to decide whether the horse was to run or not. Their decision was that there would be the risk of breaking him down if he did run, which Mr. Chaplin was not obliged to incur. Accordingly the horse was scratched. This gave dissatisfaction to some people, who even imagined that Lord Royston had got hold of it that the horse was amiss, and had laid against him for himself. At the next election at Cambridge, when his lordship was a candidate, he was interrupted in his speech by a man in the audience who called out, 'How about Blinkhoolie?'—no doubt thinking it was a home thrust that would disconcert the speaker. But the latter was more than equal to the occasion, as he quickly replied, 'Blinkhoolie is a horse, sir, and you are an ass.' This evoked roars of laughter: indeed, many of Lord Royston's friends were wont to assert for years afterwards that the smart reply won him the election.

Many years ago, in the sixties, a thick sea fog came on just before the horses were about to be saddled for a Welter race for gentlemen riders, jockeys to carry 7 lb. extra. Sir Frederick Johnstone owned the favourite—Charles the First, I think, was his name—and, with Tom Cannon up, he backed his horse for 1,500*l*. As William Day, his trainer, was

walking up the course with Cannon to where the horse was being saddled on the hill, he was greeted with what he thought were rather sarcastic remarks from the ready-money bookmakers at the lists, such as, 'Very thick fog, Mr. Day. Hope you will find your horse,' &c., &c. This is exactly what he did not do. After searching in vain for some time, he discovered that someone had gone to the lad, who was walking about with the horse, and given him a message, purporting to come from his master, to take the horse home at once on account of the fog. Of course the bookmakers, having received ready-money on the horse, were responsible for the trick.

CHAPTER II

TRYING HORSES

As a general rule I am not an advocate for trying yearlings. There have been instances in which the future fame of a good horse has been strongly suggested before he was a two-year-old; but such early tests are apt to be deceptive, except on ascertaining if the young ones possess speed. If the weather is open, however, there is no harm in galloping the smaller yearlings; those, that is to say, which look like coming to hand early in the following spring. Three furlongs is quite far enough to try them, for all you want to know at present is whether they have speed. They ought to be 'jumped off' several times in order that they may acquire a knowledge of their business before you really try them together, and great care should be taken never on any account to frighten them. The beginning of the racing season, just before Lincoln, is the time when owners generally go down to try those of their two-year-olds that appear to be getting ready for the ordeals of the race-course, and it is well to instruct your trainer to give them just a few rough gallops beforehand. If you have any knowledge of the respective merits of the youngsters gained from a gallop as yearlings, you can write down the weights that you think will about bring them together. They are almost certain not to

come out quite correctly; if they do so, something more than mere judgment, something in the nature of fluke or luck, will have aided you; but if your trainer re-handicaps them carefully on the last spin, you will have some knowledge of their capabilities before you really try them five furlongs. It is most important that they shall have had racing jackets on their backs several times before they are really 'asked a question,' to accustom their ears to the rustle of silk, and their eyes to the bright colours.

If you are trying for the Brocklesby Stakes at Lincoln Spring, a very bad three-year-old or four-year-old plater will be quite good enough to use as a trial animal, and probably you will do well to be satisfied if the young one beats him at 7 lb. or 10 lb. Before Belle Lurette won the Brocklesby in a canter, I tried her to receive 3 st. 7 lb. from Sutler, the last five furlongs of the Ditch Mile, and she beat him four lengths in a canter, which, however, made her quite 2 st. 7 lb. worse than he was, and at six furlongs he would have given her that weight and beaten her easily, as he was not a good horse five furlongs. In your trial your supposed best two-year-old will, of course, be called on to concede weight to several others of the same age, animals that are presumed—as a rule only too truly—to be of little account, and are consequently destined to be put as early as possible into selling races. The best of these you send to Lincoln to run in a selling race the first day, and by its form in that contest you are enabled to judge if your other animal has any chance for the more important two-year-old races. After the first week of the racing season you will know something of the form of the young ones;

and, in trying for future events, bear in mind that it is a far more trustworthy trial to set one two-year-old to give another, a selling plater, twenty-one pounds or two stone, with an old one in to lead them all the way, than trying a young one with one or two horses of three years old and upwards. My experience is that if a two-year-old has been properly broken; if, moreover, he is well trained and good-tempered; no matter what his form is, provided he has shown any form at all—that he is capable, say, of finishing first or second in an ordinary selling race, for instance—he is *the* animal you ought to depend upon for getting a true line about your two-year-olds, because he is sure to run up to his form provided you are not too hard on him; whereas I believe older horses to be, as a rule, untrustworthy for the purpose of trying young ones; first, because nine out of ten of them do not really do their best at home—they want the excitement of the racecourse, the false starts, the shouts of the people, to warm their blood and excite them. Secondly, because the two-year-old, being generally the quickest beginner, often chops the older horse, the boy riding which probably has orders to come through, to make a pace in fact, but his horse, chopped at the start, and bustled the whole way to keep up with his younger antagonist, may run a stone or 21 lb. under his real form.

These are some of the drawbacks with which an owner has to contend when trying his horse; hence the necessity of not being content with one trial. Try the same horses over again at such weights as you think will bring them together, and if there are discrepancies in the two trials make a liberal allow-

ance, but always against the animal you want to run and back in a future race. Never make excuses for a beaten animal without very strong reason; it is always best not to favour the animal whose merits you wish to ascertain. I advise putting up the best jockey on the trial or test horse to ensure a true-run race, and if he wins the trial apparently with only 5 lb. in hand, allow 10 lb. for the beating, so as to be on the safe side. If you want to back your horses—and here let me emphatically repeat my cautions as to the folly of plunging, for no sensible man who has seen anything of the so-called 'glorious uncertainties of the turf' would encourage reckless betting—you cannot have too much in hand; and remember when you enter an animal for a Maiden Plate with the intention of backing it, you are, to use a somewhat vulgar expression, supplying 'your own goods,' so that it is partly your own fault if they don't turn out trustworthy. An owner who bets may be satisfied with himself, and with every one connected with his stable, if three out of five of his 'good things' come off.

Two or three months later in the season the early two-year-olds begin to stand still, if they do not deteriorate, as is often the case, generally from over work. About Ascot time one hears of smart things accomplished by youngsters at home, and they generally come out successfully in such races as the Queen's Stand Plate and All Aged Stakes at the Royal Meeting; but that is chiefly owing to the preposterous conditions of these and similar events, and the absurd amount of weight old horses are asked to concede, especially as only four months later two-year-

olds have done extraordinary things with old horses, Lady Elizabeth's defeat of Julius at seven pounds being a very notable instance.

The best two-year-old I ever had was Kingwood, shared jointly with Sir George Arthur. Though backward at that age, before he went to Derby—where he won the Champion Breeders' Foal Stakes from the colt by Nuneham out of Rebecca—he could have beaten any three-year-old in Sherrard's stable at even weights five or six furlongs. It is true they were not very good at that time. Unfortunately he caught a severe illness from being moved into new stables early in the following year, and developed symptoms of roaring; at any rate he made a noise which destroyed all chance he might have had for the Derby of that year; indeed, I only allowed him to be prepared for that race to please my trainer, who entreated me not to scratch the horse, as I had intended to do; and what with not having quite recovered from his illness, and this ill-timed training, he lost all form that year. A horse with very exceptional speed is rarely at the same time gifted with stamina, and I think that Kingwood had so much speed that he would never have stayed really well even if he had kept at his best; but no doubt the 'whistling' propensity that he developed prevented his getting a mile with comfort, though it was a good performance when he 'romped home' in front of Gay Hermit and St. Mirin for the Jubilee Cup, seven furlongs, and Cannon remarked after the race that the further he had gone the further he would have won that day.

When a few lines back I spoke of not favouring

the animal whose merits you wished to test, that did not apply to the weight he would have to carry. It is very bad policy to ask a horse to do too much, whatever age he may be. In trying animals for the first time, you must set about it gradually, as I have pointed out. If in your batch of youngsters there is one of exceptional merit, he will soon show his superiority over the others. When you once know a horse's best form, and want to try him for a race to see if he is in form, do not task him to his utmost capacity. If you do, and the horse accomplishes the task, you will probably find when he comes to run you have left your race on the trial ground, and that the horse has gone off since you tried him. If you are training a man to lift weights, you do not make him lift the heaviest that he can, or if you are training another to run a mile, you do not set him to beat his own record just before the match comes off. As with men, so with horses: train them up to the moment that they have to do their best, and don't allow them to tax their utmost strength or skill till they are on the field of battle. Many a race that ought to have been won has been left at home by reason of injudicious trials.

After trying your two-year-olds, it is too probable that you will find one or two apparently worthless, and if you have really good reason to suppose that this is the case, shoot them or give them away at once. Never mind what your trainer says. Of course there are trainers and trainers, men of different capacity and influenced by very different motives. Some dislike having obviously bad horses about them, but the majority will most likely be apt to ask you to keep the youngster a month or two longer in the

vague and usually vain hope that he may (for no good reason) suddenly begin to improve; the fact being that trainers hate to have an empty box or stall. In London, if you lose your cat, the catsmeat-man with whom you deal will make you a present of another cat rather than lose part of his income, in ceasing to supply you with the daily delicacy; and a bad horse costs the same as a good one to feed. Not that I wish to imply that all trainers, or even trainers as a class, are mercenary. Far from it. Most of them spend every shilling they make on their horses and stables; but they have the idea that a worthless two-year-old may be improved, and the dread that another trainer might get hold of him and win a race with him later on. The horse is such an uncertain animal that this may happen, and then the trainer who has lost the animal feels not only that he has missed a chance, but that his rival has triumphed over him.

In trying older horses you must also take care that the pace is good from end to end, no matter what the distance is. Satisfy yourself that your trial horse is in form, and if he is fairly treated in public handicaps, put him in the trial some 10 lb. or so below the form he possesses; but it is difficult to give advice about trying horses generally, and it can only be offered in a vague way. Use plenty of common sense in thinking over the way your horses run, and do not be prone to suspect that there is anything wrong without good cause for doing so. I would rather never own another horse than be suspicious about every little thing for which I cannot account. The remark just made 'as with men, so with horses,' applies here. Some days an animal may not be quite

up to the mark, though there is no visible sign of anything being wrong with him till he is actually called on to take part in the race, when he shows no dash, a lack of energy, and can with difficulty be made to go up to his bit. Have you not often heard a good player at billiards say, 'I can't make a stroke to-day'? The champion billiard players do not keep on scoring up to their record every day that they handle a cue; neither do men in running, rowing, jumping, at racquets, tennis, cricket, shooting, or any sport, show their best form on all occasions.

It happens nevertheless that a horse is sometimes blamed for a man's or a boy's fault—I mean jockeys occasionally display a want of candour with their employers in hiding the fact, or even refusing to admit, that they got badly off, or that they were shut in, or rode their horses down, or waited too long, or mistook the winning post. I have seen this careless blunder committed more than once or twice, the most notable case that occurs to me being a race at Newmarket, in which a rider of some reputation, on a horse belonging to the Duke of Westminster, thought the finish was at the Rowley Mile Post, and allowed an animal of General Owen Williams's to beat him a head at the real post, the winner being hard ridden, and the second horse pulling his rider out of the saddle.

If you have a horse engaged in an important handicap, on which betting takes place some time prior to the date of the race, do not be in a hurry to get your money on before he has stood the ordeal of a trial, though if you mean to back him to win a nice stake should he come through his task satisfactorily,

there would be no harm in putting moderate sums on the two or three horses you think are the most dangerous, provided you get good prices. It is irritating no doubt, but at the same time it is useless to be annoyed if the public jump on and forestall you, and you must console yourself with the knowledge that they act at their own risk, chancing whether the horse is in form, whether you intend to run him, and a variety of things that may make them lose their money. If, however, you have no intention of running a horse after you have accepted with him and he is still in the betting, it is only fair on the public (who really provide much of the sinews of war, as their entrance money to racecourses supplies the added money to the races for which you run) to scratch him at the earliest opportunity.

Many owners not seldom try to deceive the lads who ride horses in trials with regard to their weight. I have two saddles now, both made to look exactly alike, one weighing 7 lb. and the other 14 lb., but I have rarely used them. In the first place they ought not to be touched by any one but the trainer or yourself, which causes a good deal of inconvenience, and in the second place the riders feel that you distrust them, and then they think they have the right to find out in the best way they can secrets that are really the property of their masters. One day at one of the dinners of Mr. Leopold de Rothschild, that form such a delightful feature of life at Newmarket, otherwise always dull but for the hospitality of one's friends, we were discussing our trials, and the wonderful knowledge possessed by the touts concerning them, when Captain Machell remarked, 'No one can know

the weights my horses carry. I have my own saddles, and I weigh the jockeys without them; then they go out and have to get into the saddles they find on the horses they are told to ride;' and then in the most amusing way he added, 'All the same one day I heard one of the lads say to the others, "Mine has got no chance this time, *I've got old Sal.*"' This was the heaviest saddle in the stable; by some mysterious means the boys all knew it. I am sure Captain Machell will not mind my telling this story, more especially as I know no man who can keep his trials so dark, a fact which is proved by the many clever coups at good prices he has brought off, extending over a period of a quarter of a century, a just reward to the immense pains he has always taken with his stable.

Whilst on the subject I may as well say a few words about the touts that infest Newmarket. Nearly all of them are in continual correspondence with the sporting papers. They make a good income and work hard for it; they know nearly every horse in training at Newmarket, readily recognise them in their clothes, and by their style of galloping. I have read many letters written by a tout whose name, however, I was never permitted to see, and they are very cleverly expressed. He always has a decided opinion about the merits of horses, and is very frequently right. But what deceives him has often deceived me. The horse that goes the best at exercise, freely and boldly, tearing along the gallop, fighting for his bit, the animal that is generally picked out by all the onlookers to be the best goer, in my experience has always proved to be a

non-stayer when it came to racing. I have rarely profited by witnessing the exercise done by horses a few mornings before an important race. It may be because I am not a good judge of a horse galloping. Once, however, it stood me in good stead. The morning before the Cambridgeshire of 1876, I saw Rosebery go as I never saw any horse go before, and I invested a good sum of money on him that day, having previously backed him after he had won the long race a fortnight before. Of my own horses, Kingwood was the laziest and worst goer at exercise it is possible to imagine, lolloping along with head down in a wretchedly careless fashion, which drew forth the remark from Tom Jennings, sen., one day: 'No one would imagine that horse was a good one to see him go.' Yet he was a good horse; and it was lucky for Ormonde that I won a race with Kingwood on the Tuesday of the July week of 1887, instead of saving him to oppose the Derby winner, who would have had to give him 7 lb., for Whitefriar, who was more than a stone worse, woke up the great horse in this race, as the spur marks on his sides showed after it was over, and as his rider, Tom Cannon, than whom there is no finer judge, himself admitted. Personally, I am glad I did not run. I could not have backed my horse freely, and should have been sorry to have spoilt Ormonde's unbeaten record, when perhaps he was not in his best form.

CHAPTER III

RACE-GOERS AND THE RING

I HAVE never been able to understand why ready-money betting is so sternly frowned upon by the Legislature which permits, or at any rate winks at, betting on a larger scale—the method of betting, that is to say, that most of us practise, notwithstanding our knowledge of the fact that in the long run the ring will almost certainly have the best of us. Men will bet, and do so in every quarter of the globe, though no doubt there are powerful arguments to be used against its practice. As a matter of fact, however, we know that betting is recognised, partly it may be because no Acts of Parliament could possibly put it down. The attempt to do so in France lately was an absurd and mischievous failure, the only effect of which was to bring M. Goblet's name into derision. To bet ready-money is to pay on the spot for what you buy, and men who bet thus cannot get out of their depth. A man takes to a racecourse as much as he can afford to lose, and the sum being lost (as it probably soon is) there is an end; but when a man has a book and a pencil, credit with the Ring, and a fatuous belief that his luck, as he calls it, is sure to change, disaster is likely to follow. Men who have not much money entertain a keen appreciation of hard cash. If they had to pay they would be well content to bet five shillings, ten, or a sovereign; but

now they bet twenty times the amount because it is so easy to write a bet down (to 'bet on the nod' is the slang phrase for it); if they lose it to go double or quits and so on till they grow quite reckless; then comes Monday; funds must somehow or other be procured or they will not be able to bet again, or go about racing unless they can square the bookmaker not to make a fuss.

Many years ago, a gentleman had had a bad week—had, in fact, lost several thousands. He asked a friend of mine what would win the next race, and strangely enough he applied to the right quarter. The informant was thanked, with the remark, however, that it wasn't much use to him now. 'What do you mean,' exclaimed my friend, 'haven't you got a pencil? If not, I'll lend you mine.' The hint was taken, and the man got back his losses on the week; but I ask my reader to imagine what his position would have been if this horse, which started an even money chance, had not won! If the loser despaired of paying his losses before the race, what chance would he have had of paying them when they were nearly doubled? It is related of a young gentleman that some years ago, after having had a disastrous week at Goodwood, he relieved his mind by throwing his betting-book into the sea. He had lost heavily; but the book was a disagreeable reminder, and overboard it went—and the loser's honour and honesty with it. Again, a man I knew had had a very bad time during the Sussex fortnight, and on the Friday of Lewes races he confided to a friend of his that he could not settle on Monday. She—his confidante was a woman—failed to keep the secret, and it came to

the ears of a prominent bookmaker. The loser had a horse running in a selling handicap on Saturday, and before the race there was a consultation amongst the leading bookmakers as to whether they would stand him any longer. 'Oh, give him a chance!' said one of them, who was the highest bettor and best gambler of the lot. Seven and eight to one in hundreds was booked several times by the owner of the animal, and, after a desperate race, it got home a head. Carelessly tossing his books to a friend to add up, he went to see his jockey weighed in. His winnings amounted to some seven thousand pounds; but, instead of being thankful for his escape from disappearing from a racecourse disgraced for ever, he actually lamented that he was still five hundred pounds out on the fortnight. 'Sell everything you have in the world rather than not pay that five hundred on Monday,' was my humble advice to him after such a desperately narrow escape.

For the sake of the more inexperienced racegoers I may well insert in this place some caution against robbers and familiar schemes of robbery practised on the course. Has my reader ever heard of the 'Haymarket division' that frequent racecourses, generally in gangs of three or four, and are known by such nicknames as 'the Glider' (gained from the velocity with which the man thus distinguished steals through the betting ring after hearing the prices of the horses, on his way to some ready-money bookmaker outside who has not been posted as to market movements), 'the Blind Boy,' and other nicknames and aliases too numerous to repeat?

To show my readers what their 'business' is on

a racecourse I will relate an actual—and far from uncommon—experience; indeed, this is the usual method of procedure. Some years ago a gentleman was at the end of the lawn at Goodwood, and saw three of the division standing near some one whom they had spotted as a likely victim. Just as the numbers went up for a race, a fourth man came running up and said, 'Now then, look sharp with your money, I've got a good thing this time; Lord Falmouth has told me to put him two hundred on his mare. He says she can't be beaten.' They then began to fumble in their pockets and produced notes (flash ones of course), which they gave to the speaker, who turned to the 'mug,' as their phrase would have run, and remarked: 'I think, sir, you ought to have a fiver or a tenner on this good thing. I've got it straight from the stable, and you know they don't make mistakes!' Of course there was always the chance that the intended victim might know that Lord Falmouth did not bet, or at any rate might have the wit to see that his confidences could never have been extended to such a quarter; but the rogue's great art consists in picking out people who are stupid enough to credit his vulgar and ridiculous assertions. Such an adviser is probably a thief, who, if he cannot extricate money from a pocket, will try for a scarf-pin or watch, his method being to touch the stranger on one side, so as to cause him to look round that way, whilst he plunders him by a dexterous snatch from its opposite direction. Another method of the thieves is to approach their intended victim with a race-card held in both hands in front of them, which they pretend to be intently studying; this they hold

high enough to enable them to run to all appearance accidentally against the man's collar. The card conceals the hand that goes up under it and steals the pin, and with a hasty apology they hurry on before the loser has had time to discover what has happened.

Many years ago a gentleman appeared on a racecourse with a very valuable pin rather prominently stuck in his scarf. Two people noticed the thieves very busy round this man, watched them, saw one of them approaching him with his race-card in the way I have described, and cannon against him; but they were much amused to see that instead of the pin disappearing a sort of upheaving of the scarf was all that had taken place. The wearer, who was well acquainted with racecourses, had taken care to have his pin made with a sort of screw, which defied the quick professional snatch to remove it.

Fifteen years ago a little man used to attend racecourses, who was called the King of the Thieves, so clever was he at his business. He had been pointed out to many race-goers and was aware of the fact, so much so that whilst taking a watch out of a man's pocket in Tattersall's Ring close under the Stewards' Stand at Warwick, whilst a race was being run, he could not help looking up at Sir Charles Rushout, who knew him by sight, and seeing that he was observed put the watch back and 'made tracks' at once. Sir Charles told me this story himself. It is not difficult to recognise the thieves, from the restlessness of their eyes, which never keep still. The adroitness which some of them display is certainly remarkable, worthy indeed of a better cause. I suppose that familiarity with the race-

course has made me wary and tolerably well able to take care of myself, but on three or four occasions I have been robbed; and I am not sure I did not once compound a felony by paying 20*l.* to have a valuable cat's-eye pin restored to me after it had been stolen while I was intent on doing a commission for a friend at York. Not long since a lady told me that she was standing on the steps of the Grand Stand at Epsom while her husband fetched a fly. She had a small hand-bag at her wrist, and the clasp of this a thief, as he rapidly passed, opened with his finger and thumb, took out her purse, and disappeared in the crowd—all the work of a few seconds, and under her very eyes. Before she had time to recover her astonishment the man had gone. The year before last, also at the back of the Epsom stand, a man took Sir Charles Russell's watch, and dodged in and out of the many vehicles waiting for fares, pursued by Sir Charles Russell, mildly exclaiming: 'Stop thief, stop thief!' He passed close to me, but too quickly for me to stop him, and apparently straight into the arms of a big policeman who had emerged from behind a fly. The constable wildly clasped his arms round his own fat body as the thief glided under his embrace, only, however, to be secured a little further on by two more of the force.

Space will not permit me to dwell on all the different modes of gaining a living honestly or dishonestly on a racecourse, on the eloquence, for instance, of the gentleman who implores you with a wink to 'give him a start' and buy the purse he has—the inexperienced might suppose—just put three half-crowns into before your eyes, for a third of that sum.

There is again the rogue who wants to bet you that you can't find the picture card out of three placed on the ground, he having shown it to you several times before turning them face downwards; but it is only the very young and foolish who are swindled, in spite of the fact that a shabby-genteel person standing by wins a sovereign several times running, which is paid apparently with pleasure by the man fingering the cards. The quasi-winner would be described as a 'Bonnet' by people who understand the mysteries of the game, which has taken the place of the thimbles and the pea—'thimblerigging' as it was called. Then there is the sporting prophet, the tipster, who throws his coat on the ground in the course the moment a race is over, shrieks out ''Ere, 'ere, got it again; every winner to-day!' and when a crowd has collected round him wants to bet his audience fabulous sums that he has given all previous winners, and that, in an envelope he is willing to sell to any or all of them for sixpence, there is a certain winner at a long price for them that very afternoon. 'Never mind 'ow I gets the tip, but it's straight from the stable.' What curious things are sold to eat and drink too! There are the vendors of 'hokey-pokey,' a kind of Neapolitan ice or 'tutti frutti,' wrapped in silver paper and sold for a penny; the purveyors of fizzing sherbet, and lemonade, wheeling about their huge block of ice surrounded with lemons; the man with a basketful of lobsters, whose cry is 'champions a bob;' the sellers of oranges, apples and nuts; of fried fish, whelks and periwinkles; and on some racecourses, particularly at York, a roaring trade is done in herb beer at a penny a glass, which I expect contains

something a little stronger than a mere decoction of herbs. There is a Jew fruit-seller, whom I have known for years, who has a stall in the saddling paddock at Goodwood, Ascot, Epsom, and all the principal racecourses except at Newmarket, who always has the best fruit procurable in the market at the moment. He is welcomed by the jockeys, with whom he is very popular. They patronise him largely, and seem to have the run of his stall for nothing, though, no doubt, as he does a little mild betting, they often tell him what they fancy for a coming race as he hands them a bunch of grapes or a bag of cherries.

One gang of rascals are called 'Lumberers,' or 'the Boys.' They are identical with the Haymarket division, and I will relate a story about them to give some idea of their mode of living, and of the manner in which they plunder the unwary. A very short time ago, a young gentleman, an officer in the army, and the son of a poor clergyman, went to stay for a few days at the Grand Hotel. Some of 'the Boys' managed to scrape an acquaintanceship with him, probably at the bar over a drink. They were well dressed, and there was nothing in their appearance to denote that they were swindlers. A game of cards was proposed, and this young man was foolish enough to invite them up to his rooms to play there. At the end of the evening he had lost 80*l.* to them, and expressed his regret that at the moment he was quite unable to pay them. They begged him not to put himself out in the least, but to pay when it was convenient, and invited him to go to Sandown races the next day. Here they told him that they did not like to bet themselves, as the Ring, being aware of

their peculiar knowledge and special sources of information, would not lay them the proper price, but that all he had to do was to go into the ring to Fry, one of the principal bookmakers, give him his card, and back certain horses for them and himself in the various races set down for decision on the day's card. This he accordingly did; the result was that after the last race he was a loser to Fry of about 600*l*. On seeking his companions he found that they had 'made tracks,' and only then did it flash across him that he had been duped. At first, Fry, on hearing that he could not pay, was inclined to write to his colonel, but on ascertaining the truth of the whole business he willingly consented to a meeting with the father of the victim at their solicitor's office, and, to his credit be it said, accepted without any demur whatever they could afford to offer him.

Cases like this occur every day in London, Paris, and other large cities. It is only the 'confidence trick' practised over and over again in a variety of different ways, and no amount of publicity or warning apparently has any deterrent effect on some foolish and credulous people, who indeed seem born to be swindled!

After a long day's racing, with perhaps a tedious journey following, the most delightful place to have a late dinner at is, to my mind, the Beefsteak Club, situated on the second floor, partly over Toole's Theatre, in King William Street. Here, if you are fortunate enough to be a member, you hear the best conversation in London, and meet the principal men of letters and artists of the day. Whilst eating your dinner or smoking a cigar at the long table, round

which all are gathered together, you listen to the anecdotes so amusingly told by Mr. Sala, of marvellous experience and memory; to the quick wit and repartee of Mr. Craigie, capped or started by a flash from the ever ready Mr. F. C. Burnand; to the reminiscences of Mr. Montagu Williams as an advocate; whilst a laugh from the courteous Sir Henry de Bathe in the chair at the end of the table tells you that Mr. Corney Grain has made one of his ready jokes. Here you may meet Mr. Archie Wortley, as famous as a shot as he is in depicting grouse-driving and other sporting subjects with his brush; Mr. Leslie Ward, whose caricatures signed 'Spy' are so well known to the world; Mr. Alfred Watson, otherwise 'Rapier,' who is relating the last story of natural history sent him by one of the correspondents of the journal he edits. The sarcastic comments of Mr. Smalley, a contributor to the *Tribune*, give a flavour to the anecdotes told. There are hosts of other celebrities who tend to make the evening amusing. The Duke of Beaufort is likely to be at table, and Prince Soltykoff receives congratulations on the success of one of his horses and gives his opinion about events to be decided. Dinner indeed is often prolonged till some of the few actors who belong to the Club come in to supper—Mr. John Hare, with accounts which everyone is glad to hear of another success; Mr. Arthur Cecil, with an appetite provoked by the evening's work; possibly Mr. Henry Irving, or it may be the always popular 'Johnny Toole' as everybody calls him. What perhaps strikes one most of all is the perfect harmony and good fellowship that exist in the club, which you enter through a passage into the kitchen, thence passing

under an open doorway cut in an old English wood screen, when you find yourself in a long, lofty room hung with Hogarth's prints. There is no ceiling, so that the smoke quickly ascends to the fine roof. The dining table is at the end of the room nearest the entrance to the kitchen, and at the other end are writing tables, armchairs, and shelves well stocked with books on each side of a large fireplace, and there is a Sheraton sideboard covered with silver cups and bowls, the gifts of members of the club.

In this discursive chapter I may pay a just tribute to the efforts of sporting writers who keep the public informed of what goes on in the racing world. As a rule, their description of what takes place in races is accurate in the extreme. Often have I stood by them whilst a race was being run and admired their quickness and accuracy of perception. The one who dictates to the shorthand writer stands in the most prominent place, and, looking through his glasses, describes exactly how the horses are running, what jumps off with the lead, followed by so-and-so, &c. While listening to the details of the race and following it with one's glasses, it is amusing to 'read between the lines' as the horses near the winning post, and the excitement reaches its highest. The voice of the speaker grows more intense as he proclaims the fact that the favourite takes the lead, and then adds, 'Two ponies to one on him,' which must somewhat distract the scribe were he not accustomed to such digressions. As a rule, the account of the race is admirable, and the comments on it in the article heading the return of the actual races are tempered with justice and leniency for those jockeys who have got off badly—made

too much use of their horse or not enough—who have called on them too soon or not soon enough, who have, in short, appeared not to have ridden as well as their backers (how much is contained in the word!) could have wished. We are none of us perfect in this world, and, bearing in mind that the winning post is a very tiny object compared to the distance a horse has to traverse in a race, be it a five-furlong race, a mile, or upwards, on-lookers ought to be very charitable in their remarks about the riding of those who have all the hard work, who may have been disappointed in the race, or have been given wrong orders, or who may have lost their heads in their over-anxiety to win, or failed from a variety of causes not quite their fault.

Take it as a whole, the sporting press is greatly to be commended for its integrity, and its wish to study the interests of the racing community. It is true there are one or two black sheep among them. One of them who writes for a daily journal has especially distinguished himself for showing private spite, and on one or two occasions has been taken to task for doing so; but as a rule sporting writers do their work well. I am not flattering them, and have, indeed, no intention of flattering anybody, but when unable to be present on a racecourse I have always read the returns of a day's racing with interest and attention, and without speaking disparagingly of other papers, I pay a well-deserved tribute of praise to the description of races in the special edition of the *Evening Standard*, so dear to the stay-at-home lovers of racing; the *Sportsman*, *Sporting Life*, and *Daily Telegraph* are all good, and I especially commend my readers to the Monday sporting article in the

last journal, written by Hotspur. It is always sound and to the point, and the writer appears to be imbued with more common sense and fairness than falls to the lot of most racing men. I invariably cut out the returns of the day's racing from the *Daily Telegraph* and paste the column in my 'Weekly Turf Guide,' for reference during the week's racing, and I find the plan most useful.

In the midst of Lord Falmouth's victorious racing career Lord Rosebery, from that spirit of humour which he so happily possesses, had a hundred forms printed, beginning, 'My dear Falmouth, allow me once again to congratulate you on the success of your horse —— in another classic race,' &c. &c., and he used to fill in these forms with the animal's name and that of the race. One day Lord Falmouth retaliated on him and sent him one of his own forms back again with 'Rosebery' substituted for 'Falmouth,' and Kermesse for the horse that had been sent him. It was just after Lord Rosebery's Kermesse had beaten Lord Falmouth's own mare Dutch Oven, I think, in the Champagne Stakes at Doncaster. It is related of Lord Falmouth in his younger days, when he used to bet, that on returning from a day's racing a friend asked him what he had done. 'I'm quits on the day,' was the triumphant reply. 'You mean by that,' said the friend, 'that you are glad when you are quits?' And when Lord Falmouth replied in the affirmative, his friend suggested that there was a far easier way of being quits on a day's racing without trouble or annoyance—'by not betting at all.' Lord Falmouth said naïvely that he had never looked at it in that light before, and is supposed to have given up betting from that moment.

CHAPTER IV

HANDICAPPING

It would be hard to over-estimate the difficulties of making a perfect handicap, for the adjustor of its weights can only go on form, and form varies from day to day according to a great variety of circumstances—the fitness of the horse, the competence of its jockey, the luck of the race, and so forth. A handicapper's task is to apportion the weights with such exactness that all the horses have precisely equal chances, and, all being well, ought to run a dead heat. This cannot be done by a study, however careful, of the calendar of races past; for a horse that wins by half a length may have five pounds in hand, or he may have five-and-twenty, and so the ideal handicapper ought to have the eyes of Argus and to be in several places at once. He should, however, put himself in the position of the owner of one or more of the animals engaged, who, the moment he sees the weights, naturally looks to find out how his horse has been treated with others that he has run with. If his animal is handicapped on fair terms with them he has not much to complain of, as if he does not consider his horse well in, the others that he has run with must be in the same condition; but if all the owners of these horses complain, the handicapper may pretty well take it for granted that he has not succeeded in his task, as the best acknowledgment of a good

handicap is the fact of its obtaining a good acceptance. His first endeavour should be to please, that is to say to satisfy, or at any rate not to offend, by what may be construed into undue severity, the owners of animals that may be called 'public horses,' or those whose merits are well known from their having constantly run up in or won races; and these are the animals that will be the easiest for him to estimate correctly. He must use great discrimination in taking off weight from horses that have lately run badly and that have shown a loss of form, and also in putting horses higher up in the handicap than he would have done owing to their recent improvement. Horses sometimes come on many pounds in a few weeks, occasionally they improve two stone; on the other hand, horses that lose their form for no obvious reason, such as illness, unsoundness, &c., rarely recover it. A good handicapper, therefore, ought to be a first-class judge of the make and shape of a racehorse, and he ought also to be a good judge of whether a horse appears trained or not; and these good judges are very few and far between. I could count them on my fingers, and still have room for others to come.

A man who offers himself for the post of public handicapper does so with the knowledge that it is utterly impossible to please everybody. His first care is not to offend owners of racehorses, and this is what he is in very many cases absolutely certain to do. When a handicap appears, after ascertaining his horse's weight, the owner, as already remarked, at once looks to see how his animal is treated with others that he has run with, and though at the first

glimpse he may have been well satisfied with the weight allotted to him he will almost assuredly come upon other animals that seem to him to be 'thrown in.' One thing which handicappers certainly are apt to overlook is the necessity of considering the most recent form of horses that have met shortly before their work appears. If a handicapper has to be hard on a horse that has lately exhibited great improvement, his latest form as compared with his earliest efforts is an answer to the question of the unreasonably disappointed owner 'Why have you put such a fearful weight on my horse?' If an animal has won a race in such easy style that it is difficult to estimate how much he had in hand, the adjuster of weights ought not to be called to account if he seems to have treated that animal rather harshly in handicapping him with the second or third that followed him home in his winning race. I have known animals that keep on winning by a head or a neck or half a length, apparently 'all out.' In the next handicap that appears they have to carry 3, 4, or 5 lb. for the beating, and they win again. Few such horses are owners fortunate enough to possess, but they are the ones that pay their hay and corn bill with a good balance in hand if placed judiciously and backed on the ascending scale. I was once lucky enough to possess such a horse, Sutler, who, although he cost me a good deal of money during the first twelve months that he carried my colours, amply repaid me by winning eight races off the reel, as I have stated elsewhere.

This is one of the reasons why a competent handicapper must of necessity be a good judge of racing

and of horses, and be possessed of good sight to see for himself. If he has to ascertain from onlookers what a horse has done in a race he is sure to make bad handicaps, so different are the views that people entertain with regard to races they have seen. I recollect Fordham riding Out of Bounds in the Rowley Mile Nursery. She carried top weight, 8 st. 2 lb., I think. Fordham never moved on her, and she won a short head. I had my doubts about her winning on account of his sitting so still, a very unusual occurrence with him when the animal he was riding was winning easily, and after the race I said so to her owner, Mr. Crawford. 'I'll ask Fordham,' he replied, and a few minutes after he came back with the answer that 'he couldn't have won an inch farther to save his life.' The mare was dying away in his hands. What better proof than this could be advanced to prove that a handicapper should know all about the intricate details of racing, details which are only to be learnt by a livelong study of men, horses, and racecourses.

Admiral Rous was a marvellously good handicapper. He paid great attention to the finish of a race; noted where he thought an animal was second or third best, having been eased when pursuit of the winner was hopeless, and he could even handicap the first four or five in a race so correctly that at times the result was really wonderful; but he destroyed many of his handicaps by what may be described as 'gambling about them.' I do not mean by betting. All his betting was insignificant, and he scarcely ever made a bet on his own handicaps, which were to him a labour of love, as he never received any remunera-

tion for the work he so well accomplished. But what he used to do was this: If an animal had been 'on the shelf' for some time from having 'had a leg,' or developed some unsoundness, if called on to handicap him, after making inquiries as to whether the animal really had been unsound (and sometimes, I regret to say, he was misinformed on purpose), he would put a ridiculously light weight on it, and *chance* its having recovered more than half its form. Of course he obtained better acceptances, as the light weight placed on their animals induced owners to accept and train them as best they could, on the off-chance —generally a very forlorn one—of their standing a preparation.

During the many years he handicapped for all the important races he was occasionally caught, a notable instance being when Sutton, a tamed loose four-year-old carrying 5 st. 13 lb., ably patched up by Mr. Mannington, the eminent veterinary surgeon, won the Cambridgeshire of 1875, and the year before that he was nearly done by the Truth gelding, carrying the same weight, in the Cesarewitch, as the unsexed one was only beaten a neck or half a length by Aventurière. Since the Admiral's death there have only been two occasions on which 'chucked-in old horses' have carried off these races. Hackness was one, when she cantered home for the Cambridgeshire of 1882, with 6 st. 4 lb. on her back, and in 1889 Primrose Day, the same age and sex, was another. She trotted in for the Cesarewitch with only 6 st. 1 lb. Mr. Edward Weatherby succeeded Admiral Rous as the Jockey Club handicapper, and his work was as a general rule most admirably done, though, owing

probably to the pressure of the Club business, he now and then made frightful mistakes, which were always most courteously acknowledged, however, and rectified on the first available occasion. The worry of the business induced him to give it up after some years, though, happily, he continues in the place which he has filled with so much dignity and credit to himself since the retirement of his father.

A clever way of making a handicap and of inducing good acceptances and large fields, is one that Mr. Dorling, Clerk of the Course of Epsom and Brighton, has availed himself of when the chance has arisen. It is by making what is called a 'flattering handicap;' but to do this the handicapper must have a horse amongst the entries submitted to him of such high class that he can begin his task by allotting to him an almost impossible top weight. Some of my readers may exclaim 'But this would not be fair on the horse?' My answer to that is, that results have shown it is almost impossible to calculate what horses are capable of carrying and winning with on such easy courses as Epsom and Brighton, provided they have perfect shoulders and true action to come down the hill with. Having placed the best horse at the top of his handicap with a very heavy weight on, he then proceeds to select the next best animal from amongst the entries; this one may be 18 lb. or 21 lb. inferior to the first class horse. If therefore he puts 9 st. 10 lb. on the top weight, the second one would have 8 st. 6 lb., or 8 st. 3 lb., leaving a great difference between the two. But it is from 8 stone down to 6 st. 7 lb. that the 'flattery' comes in, and many an owner who is not quite conversant with this mode of

treatment, is delighted when he sees his horse 'let off' as he fondly thinks, with 7 st. 7 lb. or 7 stone, having looked for his appearance amongst the 8 stone division. As a rule, the result of this particular kind of handicapping is that the race falls to one of the middle-weight lot between 6 st. 12 lb. and 8 stone, and the top weight and the bottom weights are not well in. Messrs. Frail, who preside over admirably conducted meetings at Windsor, Manchester, and Northampton, and are very good handicappers, often pursue the same method when they have bad horses to deal with. I recollect winning a race with Plantagenet at Windsor, in the summer of 1886. Judge Clark gave it a head between each of the first four horses, and Archer, who finished fourth on Cairo on the inside of the course, told me he thought he had just won the race. It was one of the finest finishes I ever saw, and was a tribute to the art of the handicapper. Mr. Ford, junior, who has done so much towards the success of the Lincoln, Nottingham, and Derby meetings, hardly ever makes a bad handicap, and much depends on the way he adjusts the weights for the first important handicap of the year, the Lincolnshire—as, should he let off some animal too lightly, all the spring handicaps might be spoilt by its winning this race in a canter, and carrying the penalty successfully in the Newmarket handicaps, City and Suburban, and Metropolitan at Epsom.

On the retirement of Mr. Edward Weatherby, an advertisement for a handicapper was put in the Sheet Calendar, by the Stewards of the Jockey Club, and amongst others, Major Egerton applied for the post and was accepted. He certainly has not been

successful in pleasing owners of horses, and in 1889 there was quite an outcry against the mistakes he made. I consider he brought this on himself by accepting too much work from Clerks of Courses all over the kingdom. With so much on hand it was quite impossible to do justice to the handicaps it was his duty to make for Newmarket, Ascot, and Epsom, not to mention others which did not come within the sphere of his work as official handicapper to the Club. He often complained that the names of horses were sent him too late before the day he had to send up the handicaps for publication, but the answer to that is, 'Why accept more than you can do?' and with such a remuneration as the handicapper receives, surely he could have done what counsel do to get up their cases, viz. employ someone (a devil is the name, I believe) to write down the names of horses in order according to their ages, or it would not require much knowledge to pick out the best ones, and put them at the top of the list, handicapping them all at weight for age, with a blank space left on the right hand side of the weights to make the real handicap with. If a man is master of his art, and knows form well, he could make a good handicap by this help in a very few minutes.

Another thing that tells against Major Egerton as a good handicapper is that he has the misfortune to be short-sighted, and one in his position ought to be gifted with a better pair of eyes than most people possess. He has a habit at Newmarket of standing close to the judge's box to see a race, and I defy any man to judge correctly what has occurred in a race when he can only look down the course at the horses

coming straight towards him. The brunt of the battle takes place from 100 yards to 200 yards from the winning post. It is here that horses that have been behind, either waiting on purpose or having had a bad start, or not being able to go the pace at first, creep up and attempt to take their places with the leaders. It is here that the jockeys on the latter begin to look round to see if danger is to be apprehended from behind, if it is necessary for them to take a pull at their mounts for a final effort, or to let them out if they have confidence in their staying powers, to 'get the first run' as Archer was so fond of doing; and although if you are on the post it is perhaps easier to judge what amount of weight would have brought the first and second in the race together, it certainly is not the best place to see what was third or fourth best in the race, unless of course it comes to a good finish between four or five of them, because the jockeys on horses with no chance will have seen long before reaching the post that perseverance was useless, and have allowed their animals to slacken speed. My chief objection to any one handicapper being employed at a variety of different meetings, is that there is no variety in the handicaps. You cannot pick and choose so easily which race to run your horse in. Different handicappers have different ideas, and some may be lenient and some hard on a particular horse that may have shown better form one day than anyone dreamed him capable of, owing to one of the opposing horses, which for the sake of argument must be a good horse, being not quite himself. If you are the owner of this horse and enter him for three handicaps at

different meetings all closing the same day, handicaps which have to be made by one man, and you see a horse amongst the entries that yours has shown good form with through a fluke, you know to a certainty what weight to expect; whereas with three different men holding different views, in one of the races you may look for fair treatment; and remember the Jockey Club have forbidden you to speak to the handicapper about the way in which he has treated your horse; your only alternatives therefore being to lodge a formal complaint and get yourself disliked, or to keep on running your horse in races where he has no chance, often losing your money if you are foolish enough to be tempted by the increasing price the Ring will always lay you, if they see you are not anxious to back your animal.

This state of things ought to be remedied, and I see no reason why an owner should not demand an explanation from the handicapper himself of what he considers the harsh treatment of his horse, provided he does so in a courteous way, feeling convinced of the handicapper's integrity and wish to do justice to everybody; qualities which will certainly always be attributed to Major Egerton.

Personally I should like to see all ordinary handicaps done away with, especially for two-year-olds, and to see first, second, and third class weight-for-age racing substituted in the form of plates with one entrance fee of so much per cent. of the stake for all, the second and third class horses to be determined by their being entered to be sold for 1,000*l.* and 500*l.* respectively, and the distances to be from five furlongs to one mile and a half, with penalties, but

not prohibitive ones, attached to the winners. Short handicaps ruin good horses. Horses would last longer in training if they were not constantly called on to give a lot of weight away. What is a man to do with a good five-furlong handicap horse? He has to run him constantly in handicaps, always giving away from two stone to three stone, always struggling, if the handicap is at all a good one, to catch the light weights that sail away from the start so easily in front of him, and the horse is always called on by his jockey at the finish of a race. Do you think a horse doesn't know what is coming—that, however game he is, he doesn't anticipate the identical moment when he will feel himself squeezed, then driven by the hands, the sharp prick of the spur, and alas too frequently the crack of the whip often 'in the middle of his stride'; and all this when he is straining every nerve, when he himself is as excited as the yelling backers and layers? I believe the rule which I was instrumental in passing ten or twelve years ago, doing away with half-mile races altogether, has helped to make jockeys less ready to ride from pillar to post, and has done good to horses generally. Nothing upsets a horse's nervous system so much as being constantly jumped off in false starts, which in the days of half-mile races were far more frequent than now, although at the present time in large fields, particularly in nurseries, long delays at the post must constantly occur owing to the fractiousness of some animals and I fear very often of some jockeys.

Many years ago the following story was related. A well-known commissioner and owner of racehorses, imitating the example of others, started a handicap

book of his own. One day he lost it, and was miserable in consequence, complaining that he dared not bet without his 'book of knowledge' to refer to. Time went on, and at last the book was discovered. It was found in a dead man's pocket at the bottom of the Thames. We did not hear much of that book afterwards!

CHAPTER V

ON BREEDING AND TRAINING

ALTHOUGH it is said that there is no royal road to the breeding of a good racehorse, still, by taking certain precautions, and paying great attention to the rearing and feeding of the young stock, there can be no doubt that much can be done. If any breeder, whether private or public, possesses a well-bred young mare, good and sound in every particular, his best policy is to secure the services of the best horse he can, selecting one whose blood is likely to 'nick,' in hopes that the sire may transmit some of his own excellence and known high qualities to his progeny.

The mare, during pregnancy, should be well fed with corn twice a day, and linseed mashes twice a week, the linseed properly boiled and simmered for an hour and a half, and then poured on to the mash, which should consist of equal proportions of crushed oats and bran. This should be allowed to stand for two hours before feeding, and should always be given at night, the last feed of the day. The best days for this are perhaps Wednesday and Saturday. During the daytime the mare does best if turned out in good rich pasture land. By pursuing this system in regard to the management of the mare, the foal at birth is likely to be a strong one. No doubt the majority of the weeds we see bred every year throughout the country—creatures useless for racing purposes—are

the result of carelessness and ignorance in the treatment of the dam.

As the time approaches for the mare to give birth to the foal she requires close watching, for mares seldom foal on the exact day the offspring is expected; and when the moment arrives the stud-groom in charge will do best to allow nature to take pretty much her own course, and not to try, as grooms too often do, to hurry the operation by violent measures.

After getting through the foaling successfully, the dam and its offspring should be left in quiet for a couple of hours; then a nice warm mash, to be tried with some chilled water, should be given to the mare, and they should be again left alone for a time. Then, if the foal makes ineffectual efforts to suck its dam, the stud-groom may well assist at first—by moistening the teats with the dam's own milk, and then by assisting the foal to reach them. After this the mare and foal will be of very little trouble, care being taken always to pursue the system of feeding the dam as heretofore, and at all times, if the weather is fine and suitable, after about ten days or a fortnight, the pair should be turned out to grass, as before the foaling; but if this treatment be found insufficient to produce enough milk for the foal, then resort may be had to cow's milk. That of the Alderney is the best. With a little management and trouble the foal can easily be induced to take a pint of this twice a day, and in addition to the dam's own milk that quantity will be found quite sufficient.

About six or seven weeks after birth, the foal, from intuition, will begin to feed a little of its own accord, and then a handful of crushed oats should be

placed in a low manger by the side of the dam while she is feeding; or, perhaps better still, the dam should always be fed from a low manger, so arranged that the foal can feed with her, and by this means it will soon learn to satisfy its appetite. As it begins to feed of its own accord, it should be fed two or three times a day with crushed oats, mixed with a little bean-meal in small quantities; a little cut green meat may also be added, and this system is to be recommended up to the time of weaning, usually about six or seven months after birth, at which period the foal will have learnt to feed well alone.

As the little creature grows older, the same food, in such increased quantities as are found to satisfy its appetite, should be provided, with the addition of a little linseed mash twice a week, as recommended in the feeding of the mare. Foals at this time will not be likely to eat more than a quarter of a pailful. A few carrots or cut green meat may be mixed with the mash, and also the other feeds during the day.

It often happens that the foals after weaning become unthrifty, staring in their coats and hide-bound, which sometimes indicates that they have generated worms. In this case they require to have a few worm powders mixed with their food for a few days; and then a dose of linseed oil and turpentine, in quantities suitable to their age, should be administered. If this be followed up two or three days afterwards by a few tonic powders, mixed in the corn, it will give tone to the system and make the youngsters feed more readily. This also will have a beneficial effect upon the system generally, as well as removing the immediate cause of trouble.

The yearling requires very little change of treatment. He must now be fed thrice a day upon crushed oats (Scotch oats are the best), with crushed beans ground fine, but not pulverised into powder or meal as heretofore recommended. The beans and oats thus given, mixed with a little chaff and cut green meat or carrots, will teach the animals to masticate their food. As time and the yearling advance, it should be handled and lightly wisped over with a straw wisp twice a day—before being turned out to grass in the morning, and when it is brought in again at night. This will have the effect of bringing the blood to the surface, and making the coat more thrifty and kindly, besides accustoming the young animal to being dressed over, as also of keeping the blood in due circulation generally. Brush its tail and mane at the time of these operations, and if this treatment is continued, and it is habitually led from its box to the paddock, the work of preparing it gradually for the trainer's hands will be advancing.

I have only now to add to the foregoing that due attention should be paid to the growth of the feet of foals and yearlings, for by care and attention they can easily be made to develop into the proper shape; and the stud-groom who pays due attention to this important particular will enormously contribute to the future success of the animal.

It is a good plan to keep a lump of chalk in the water the foal and yearling drink from, as it is thought, and I believe with truth, that the chalk has bone-producing qualities.

The reader will observe in the above treatment

of the foal and yearling that all fattening matter, or food producing fat, has been avoided. Fed in the way recommended, bone and muscle will grow instead of the inches of adipose matter too often seen upon yearlings bred by public breeders for public auction; and it is a pity that these breeders do not recognise the fact, for, although by these fattening processes they may produce at the different yearling sales fine-looking animals, this is most detrimental, and often fatal, to their future value as racehorses, for it defies the efforts of their trainer to clear it away and replace it by muscle. The animals in the process of getting into anything like decent condition often go all to pieces (so much so that their owner hardly knows them), and their legs grow out of all shape and form. Public breeders might suffer a loss for a year or two by feeding their young stock on the plan here advocated. They would not produce such fine-looking animals, but the advent of common-sense principles would soon be recognised and appreciated by the purchasers of blood stock. The method of feeding here detailed is consistent with the purpose for which the animals are bred, in addition to which they are far less trouble to the trainer, and much more profitable to their purchaser, as they come more readily to hand; and if found worthless for racehorses, their owner can dispose of them at once and save all further expense, while, on the other hand, they are always ready for their early engagements, which is an important matter.

The yearling thus produced and fed will be fit at the end of July (which is the best time) to be placed in the trainer's hands, and he will continue (if he

knows his business) to feed it upon the best oats (crushed), mixed with a little chaff and cut green meat, discontinuing to give beans as heretofore. The end of July is the best time to place the yearlings in a training stable, for the weather is likely to be suitable for breaking and preparing them for training. It may be incidentally remarked that the charge should be 30*s*. per week until the first of October, by which date the youngster will be sufficiently forward to take its place in the string of horses. In July also there is not the changeable weather experienced later in the season to interfere with operations, and therefore there is less likelihood of the young animals taking a chill from becoming over-heated and sweating during the process of breaking, which, by the way, should be slow, and never hurried. The trainer should have the yearling led about daily by a steady quiet man for about a week or ten days before attempting to put on the breaking tackle. This will give it time and opportunity to become accustomed to the people and things about it, which of course are all strange. Lunge a yearling as little as possible, but before putting on the breaking tackle it is best to lunge it both ways for a short time to steady it.

The trainer's head man, if active and efficient, will soon accomplish the rest, first, by putting a short twitch on the animal's nose, and fastening it to the head collar to steady it, and then putting on the roller, side-reins, breast-girth, and buckling the roller loosely round it until he gets on the crupper, which buckles to the roller, and from which the hip-straps hang. Having done this, he may draw up the roller a hole or two tighter. He should then let the youngster go

round the lunge both ways for a few minutes. Although he will plunge for a short time on first feeling the tackle, this will soon be over, and he will become steady; and then the lesson should be stopped, the twitch should be taken off, and the pupil patted and made much of.

The man should then lead the pupil about until it is time to return to the stable, when he should be made much of again. The crupper and side-reins must be taken off with the bridle, but the roller, breast-girth, and head-collar left on; and so the breaker will proceed by degrees for a few days, replacing the crupper and side-reins when the animal goes to exercise. After a short time he will become accustomed to the tackle, when you can put a saddle on, after which, in the course of a day or two, it would be advisable to let one of the most active boys get upon his back while in the box, and lie across the saddle, patting the animal at the same time; for there is less likelihood of an accident happening if this is done in the box on the first few occasions, instead of upon the open heath, where horses have more room to plunge if so inclined.

In the course of a few days more, if this process is continued, the animal will be fit to be ridden, led by a steady man, and with some quiet old horse to walk in front of it. It matters not the number of yearlings in hand, the process of breaking should be the same at this early period, care being always taken to see that some steady old horse walks in front of them, whether ridden or led. From this guide they will soon learn proper manners.

When sufficiently forward to be ridden loose, the

old horse may trot about in front of the string, and in the course of a few days the youngster will become quiet and accustomed to the work, when the leader can take them a steady canter or two daily of about two or three hundred yards, until they know how to follow each other. They may then have two or three canters daily, after doing their usual walking and trotting exercise. By this means they will soon become familiar with what is required of them, and by this time we shall be approaching the first of October, when they are to be put into active training. As a preliminary, they should be allowed to go a little faster pace than heretofore, still led by the old horse, and, if ridden properly, in the course of three weeks they will be fit to jump off at a quicker pace with their schoolmaster for about three furlongs.

They will soon grow used to this faster pace, and like it, providing always that the jumping off is not too frequent; and, continuing thus, if the weather remains open about a week before Christmas, a batch of yearlings, with an old horse suitable for the purpose (a three-year-old plater is the best), may be jumped off and come at their best pace three or four furlongs. This will give an opportunity of judging which of them show the best speed, and as they finish in this gallop (if all equally have been properly prepared) so they will probably finish hereafter, although none of them may beat .the old horse, for he always stays the longest, in spite of giving a lot of weight.

The reader must understand that this refers to the yearlings placed in the trainer's hands in July, and not bought at a later period—say, for instance, at the yearling sales at Doncaster—for it would be impos-

sible to have them so forward as this. Here, again, the private breeder, who breeds for racing, must always have a great advantage over the public breeder, for he can place his yearlings in the hands of his trainer at the best time for the advancement of their preparation, whereas gentlemen who have to depend upon the public sales to purchase their animals must necessarily wait until the sales take place. Many never buy yearlings until the Doncaster sale in the middle of September, and this obviously places the owner and trainer at a disadvantage if the youngsters are likely to be engaged in the early spring, for it would be impossible to have them so forward (loaded, as they usually are, with fat) as those sent to a training stable at the end of July.

As Christmas approaches—and the lads in the stable look for a little relaxation at this period of the year—it is well to ease both the old and young horses in their work for a few days, or say a fortnight, and do with them nothing beyond healthy exercise until New Year's Day is over. By this time the lads will have settled down to their work again, and the yearlings (now two years old) will have regained their confidence. The holiday is good both for the horses and lads, and is to be recommended even if the weather be open and fine. In all probability, at this period of the year there will be frost and snow, in which case horses are best upon the straw bed, for there is nothing calculated to do so much mischief as galloping upon frozen ground, although it may be covered with snow—first, because the drift that will take place in a snow storm leaves some portion of the frozen ground bare, and should the animals

gallop suddenly over this hard surface there is a great risk of their laming themselves ; and, secondly, if they are worked for any long time when the ground is in this state they will almost certainly lose their action from being unaccustomed to the sort of going. Trainers would be wise if they confined their horses to the straw bed and trotting exercise during the whole time that the ground is frozen or covered with snow, for, although there may be an anxiety to push forward the preparation of those that have early engagements, depend upon it the maxim 'more haste less speed' is here, for the reason given, specially applicable. Of course, steeplechasers, hurdle-race horses, and hunters must continue their preparation, because their engagements fall at this season of the year, and also because they are more seasoned horses, and need not do very fast work.

The trainer now will have fair sailing, so far as refers to the yearlings that were galloped a week before Christmas, and if any of them have any early engagements, such as at Lincoln and Liverpool, he will have nothing to do, provided they keep in health, but go on steadily with them, occasionally letting them come a sharp gallop all together, led by the old horse, say twice a week, about four furlongs or four furlongs and a half. This will have the effect of teaching them to act together and in company—in other words, to race; but the 'jumping off' here described should not be done too frequently, or sooner or later it is sure to upset some of the youngsters and make them flighty. When this happens it will be found a difficult matter to get them to the canter's end, and usually, if these

animals are not eased in their work at once, they will go off and out of condition in consequence of their nervous system being affected.

Should any of the yearlings become thus flighty, lose their appetites and leave their corn, the trainer would be wise to let them have easy work for a few days, say one canter a day, and now it would be advisable to give steel drops daily in their water for a week. This will have the effect of assisting to restore their nervous energy, and, together with the easy work they have been doing, will give additional confidence to the animal, which is the most important of all; for when once they become *frightened* it is a difficult matter to get them settled down again.

As March, with the Lincoln and Liverpool meetings, approaches, should any of these young animals be engaged, they will have to go a longer distance, and in due time at a faster pace. If the owner wishes to try his two-year-olds intended for these early fixtures (as he is sure to do, say about a week before Lincoln), it would be advisable for the trainer to order them to be jumped off, say two or three times, still led by the old horse, first, in the early part of March, and then again about ten days afterwards, and so on. This will teach them their business, and prepare them for the actual trial; but always avoid jumping them off too frequently, for it makes them awkward at the start, and so unsettles them, which is often the cause of the long delays which arise at the post when a field is under the starter's orders.

With regard to trying two-year-olds, it is best to try them with a three- or four-year-old, and always a colt if one can be had. A horse that has won

a Selling Race in the previous autumn is a good animal to select, as the chances are that he retains some of his humble form, and if you can succeed in getting any of your youngsters to beat this plater at seven or ten pounds you need not despair of winning the Brocklesby nine times out of ten, notwithstanding the reports of the extraordinary trials which have taken place in other stables. Now and then you will no doubt be beaten by an unusually good animal, but my stable has won the Brocklesby two or three times easily with animals whose credentials were that they could just beat a three-year-old plater at seven or ten pounds, or a handicap horse at much greater weight.

It is a good plan for about a week or ten days before these two-year-olds have to run to give them steel drops in their water (and, indeed, this applies to all horses before meeting their engagements), for it will be found, as their work increases, they will go off their feed more or less, and, perhaps, in the case of those engaged at Lincoln and Liverpool, it will be best at the beginning of March to give them old oats, with a double handful of beans ground fine, mixed with a little chaff and carrots; because here you can give less in bulk, and they are more likely to eat the smaller quantity, from which they will derive more nourishment than in all probability they would from the crushed oats.

One of the trainer's most frequent plagues is that which arises from shin soreness in his horses. If this should develop in the process of training, as it is not unlikely to do, have the place dressed at once, walk the animal for two or three days, and then go

steadily on again. It is never wise to delay in dressing the shins, for there is no other means of getting rid of the soreness, and, if delayed, the sufferer's action becomes short and defective, which is fatal to his showing his best form.

Should one of the two-year-olds be found equal to the task of beating the old horse at the weights above recommended for trial, in all probability it will turn out sufficiently good to win at Lincoln, and if this comes off I do not think it wise to send a two-year-old on to Liverpool, as the extra travelling and extra weight to be carried as the penalty of success is almost certain to destroy its chances. This would be an unfortunate circumstance, as the animal began so well, and perhaps would discourage it for future engagements.

Of course there will occasionally be an animal of superior merit, who would win the Brocklesby easily, and then, if engaged in the Molyneux Stakes at Liverpool, would succeed in carrying his extra weight and winning; but owners cannot be cautioned too much against running their two-year-olds too frequently at the beginning of the season, particularly if they have important engagements later on; in any case there are valuable races to be won almost every week in the season, and horses are easily spoilt when too much demand is made on them.

Given ordinary luck, the trainer will have little or no trouble with his two-year-olds that have once come nicely to hand and shown a little form, provided always that they keep in health. The chances are, that they will go on improving after their first race, with occasionally a sharp gallop, say twice a

week. If the owner is so fortunate as to find that he has a youngster of superior class, it is wise to run him for his most important engagements throughout the season, if these do not occur too frequently, for the fact must always be kept in view, where this class of animal is concerned, that he has a career before him, and doubtless three-year-old engagements of importance, the chances of success in which will be gravely jeopardised if the two-year-old is run off its legs; but it unfortunately happens that animals which seem to be good in the early spring often prove to be only useful as summer approaches, moderate about Goodwood, and worse later on; so I cannot pretend to advise with regard to the placing of such horses.

At the end of the two-year-old season, the trainer will begin to relax the work, for rest and quiet now become necessary, and to fall back again upon the former system of feeding recommended for the yearlings and two-year-olds up to March—crushed oats, a few carrots and chaff, with linseed mashes twice a week carefully and well made. Purgatives or tonics are both to be avoided. The former relax the system too much and cause a predisposition to chill, and the low fever so well known at Newmarket will possibly follow or intervene, when the horse will go amiss, and very likely, if the lungs are at all affected, become a roarer. This dire disease arises from various causes, and may no doubt often be traced to the defective flooring and ventilation of the stable in which the animal passes the greater part of his life. It is too often found in old stabling that the bricks are laid in mortar upon sand or upon the earth itself levelled, and this allows all the impurities which pass

through the animal to saturate the sand or earth below. In time this becomes so impure that the vapours arising therefrom contaminate the whole atmosphere of the stable, and disease is the result. The stable may be thoroughly washed and cleansed by white-washing or other means, but the mischief is always likely to break out if the real cause is not removed, for the germs of the disease remain in the earth below.

In a stable properly built for racing purposes, the flooring should be of solid concrete, two or three feet thick. Upon this the bricks, laid edgeways, and fixed in cement, herring-bone fashion, should be placed, and this will prevent all evil effects from dampness, the permeation of offensive liquid, and so on. Every box or stall should be thoroughly cleansed out twice a day, and the health of horses will be thus as far as possible assured. Tonics are for the most part obviously unnecessary at this season of the year, for nearly all horses feed well in the winter months.

It has always been a matter of great argument among racing men, whether a two-year-old of high class, say for instance, a two-year-old which has won the Middle Park Plate, would improve much between this time and the following March, and the question has been forced to the front by observers and critics of the fact that three-year-olds so seldom win the Lincolnshire Handicaps, although set to carry only a very light weight.

It is possible they are not so good at this period as they were in the previous October. At the time they win the Middle Park Plate they are undoubtedly

in their best form, whereas, during the winter months, if they have sound constitutions and are good feeders, they become big and fleshy, and consequently much relaxed in their system; moreover, the weather probably interferes with their work so much that it would be impossible for a trainer to get them into their best form without hurrying them, and running the chance of their going amiss. Thus again even if it were possible for the trainer to do so, he would be foolish to precipitate matters with three-year-olds which were engaged, say, in the Two Thousand and Derby, if they were class enough for these races; for the chances are ten to one against his winning the Lincoln Handicap, although handicapped at a light weight, whereas, by more judicious management, and going on with his horse progressively, with a view to its more important engagements, success may be patiently achieved. In order to win, or to have a chance of winning, a big race, a steady and regular preparation is indispensable. The trainer must always take care that an inferior animal leads the hope of the stable in his work, for it matters not whether it is a plater or a Derby horse, it is bad training to allow an animal that is expected to win to have the worst of any gallop it may be sent in its preparation. Horses find that they cannot get in first, and this has very often the effect of making them cowards.

The feeding from about March 1st should consist of old oats (the best Scotch), old tick beans (two years old) ground tolerably fine, a few carrots and chaff, with the best hay which can be bought, and occasionally a few tonics may be found necessary, but it

is always wise to avoid giving tonics unless absolutely necessary, and then steel drops in a horse's water are best.

Horses that are undergoing a severe preparation often become more or less delicate in their feeding, and they should be fed carefully and with great attention, or they may loathe their food altogether, and this will be a source of much anxiety to their trainer. It is bad practice to feed a horse in training too heavily, for many animals are thus sent off their feed altogether, and the consequence too frequently is that it becomes a necessity to ease them in their work, which necessarily involves loss of time.

If the horse that is being prepared for the Two Thousand or Derby is thought to be of sufficient class for these races, should he be of a gross and strong constitution (with this sort of horse there is always a predisposition to put on flesh) the trainer will have to be active in getting him fit, even for the Two Thousand, more especially if the weather is against him and continues cold. If it is seen that the animal does not sweat sufficiently in his usual exercise gallops, the best plan would be, weather permitting, to resort to the old system of training, and let him go through a nice steady sweating gallop of three miles with double clothing on, three times a fortnight, led by a horse inferior to himself. Beginning the gallop at a moderate pace, after two miles are covered the pace should increase gradually to the finish, so that at the end of the gallop they should be going at a good speed.

On pulling up, the horse should be walked straight into the rubbing-house, when additional rugs

and clothing should be thrown over him, and then he may be allowed to stand and blow and break out for about ten minutes. After being in the rubbing-house three or four minutes, the girths should be loosened a couple of holes, and at the expiration of about ten minutes he will be found to be sweating freely. This will relieve the whole system and lighten the horse both externally and internally. The hood and neck-sweater should then be removed, and the head and neck scraped and immediately rubbed dry with clean rubbers; the quarters and body, when scraped and rubbed dry, must be wisped over, the manes and tails combed out and wiped over again with a clean dry rubber. Mouths should be rinsed out with water, eyes and nose sponged and wiped quite dry. A dry suit of clothing should now be put on, saddle, and rug over the top of the saddle, fastened by a surcingle, and the horse may be allowed to walk home from the training ground to his stable. At Newmarket this may always be done; if elsewhere the places are too close together, he may be led about for some quarter-of-an-hour or so first, when he should be given a little damped hay, his head and neck thoroughly dressed, the mane well brushed out (for it will even now be hardly dry), the eyes and nose again sponged and well rubbed dry, after which the head collar may be put on. The horse can then be turned round to the manger, fastened upon his rack-chain and side-chains, and then his quarters should be thoroughly dressed, care being taken to brush his tail as clean as possible. Put the clothing down over his quarters, lay the hood or quarter-sheet over them, and then get his feet and legs done.

By this time the head-man will have got ready his water—three parts of a pail, with a wine-glass full of sweet spirits of nitre put into it and mixed. Horses will drink this readily when used to it; and this will have the effect of keeping up the circulation and preventing a chill. Then let his body be well dressed, after which put comfortable clothing on; his feet should be done with a proper hoof ointment, and stopped with the usual stopping used for this purpose. After this set him fair nicely, taking care to shake up the straw well, place it all round by the side of the box, and in the middle make it level and comfortable; give him a small quantity of hay, and feed him lightly with corn; if the best Scotch oats, a bowl and a half is sufficient, mixed with a small double handful of beans, chaff, and lucerne or carrots cut up.

It is always best with horses of this gross sort to make your sweating days on the days when they have their linseed mash, because a linseed mash made in the proper way recommended, given as the last feed of the night, will to some extent prevent constipation, an ailment common after sweating gallops in this process of training.

As the subject of stable management is now being discussed, perhaps it would be as well to make a few observations upon that point. To begin, then, at the first opening of the stable in the morning, it is the duty of the head-man to have his horses' heads tied up, to walk through each box and examine the mangers to see which of the horses have left any corn during the night. If any have done so it should be immediately removed and the manger swept clean, care being

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taken to note and report to the trainer which horses have left corn, and how much. The head-man should then go through with his sieve, into which fresh corn has been nicely sifted, mixed with a few beans and a little chaff, take his bowl in his hand, and give to those which have eaten up during the night half a bowl each of it, and those which have left any corn during the night, a single handful. This is done to amuse and let them keep company with the others more than anything else, for even this single handful they often will not eat, so delicate are some of them when in active training.

The lads who look after the horses, during the time the head-man is going through the mangers and feeding them, should first, on tying up their charges, throw a hood or quarter-sheet over the quarters, then remove all the soiled litter, taking care to sweep out clean. The unsoiled litter should be shaken up, and placed in the corners of the box. A little sand should next be thrown down if the standing be on bricks, to prevent slipping, and then the clean litter should be thinly shaken over it; twist up the door-ways and sweep clean; and if the head-man knows his business this operation will be performed by the lads looking after the different horses pretty much at the same time.

One of the spare boys should then walk through the stable with a skip of sawdust under his arm, and throw down over the bare bricks at the doorways sufficient to cover them, and some also behind those horses which are standing in the stalls. This makes the stable look clean and wholesome, as well as acting as a sort of disinfectant if the proper sawdust is used.

The lads looking after the different horses in the meantime will get their quarters dressed over, and when finished draw the clothing over their charges, keeping the hood or quarter-sheet over all. Then bring their heads round, sponge their eyes and nose, wisp their heads and necks over, brush their manes, wipe over with a clean rubber, put head collars on, turn them round and tie them up with rack chain and side chains. If they wear bandages, now take them off, and whether they wear any or not, sponge and wipe their legs down dry, brush their feet round with the ointment used for this purpose, strip their bodies and brush and wisp them straight over. During this process the head-man should walk through the stable, examine every horse's legs, and report carefully to the trainer the result of this examination.

The horses should then be done over with a clean rubber and their clothes put on again ; brush their manes and tails, and put a hood or quarter-sheet over their quarters, set the box fair, and leave them standing until the lads have had their breakfast, the head-man shutting up the stable safely.

After breakfast the man in charge of the clothing and saddlery will hand out to each lad his proper saddle, bridle, clothing, ankle boots, &c., and the lad will go straight and at once make his horse ready for exercise, first wiping his charge over, and putting his exercise clothing on, saddle, bridle, &c. When all are ready to go out, the head-man should walk through the stable putting each lad upon his horse, and taking note at the same time whether the horses are made duly ready. On returning from exercise

the horse should always be dressed in the way already recommended, omitting, however, the sweet spirits of nitre from their water, which is only necessary for those horses that have gone through their sweating gallop on their sweating days, when it should always be given.

At the afternoon or five o'clock stable the head-man should go through the same routine as that described at the first opening of the stable in the morning, taking care to note particularly how the horses have fed during the afternoon. He should again examine their legs minutely, and as before report to the trainer, who, of course, will himself go through the horses, when his practised eye—the animals being stripped—will soon detect anything that is amiss.

After the horses are done and the stable is put straight, they should have a standing feed mixed in the same way as that recommended for the morning, and those that have eaten up during the afternoon should have half a bowl each given to them, the others which have left any corn a lesser quantity. The head-man then should shut up the stable, and he with the lads go and get their meal.

It will now be about seven o'clock in the evening, and the horses should be allowed to stand for some three-quarters of an hour, by which time the lads will have finished their tea or supper, and then the head-man should open the stable, and each lad putting his horse upon the side chains, the head lad will then pass through every box and examine the mangers to see how each of the horses has fed. The lads' last duty is to put their horses' clothing straight,

straighten out their manes and tails, and set them fair for the night, sweep their mangers clean, give them each a small quantity of hay, and then when all ready for feeding the lads should take their rubbers to the corn bin, where the head-man will be waiting for them, and feed each horse separately.

The gross horses who are good feeders should now have given to them two bowls and a half of corn, with a good double handful of beans, a small double handful of chaff, and a little green meat or carrots mixed together. The lighter-feeding animals should of course be fed on a lesser quantity : the head-man will know how much to give them from their mode of feeding. Horses differ very much in their constitutions and dispositions, and great attention should be paid to their likes and dislikes. By this means you can always keep them on good terms with themselves, which is an important matter to their well-being. The stable now should be shut up for the night.

While speaking of the management of the horses in the stable, it would, perhaps, be as well to draw the attention of the trainer and head-man to the important subject of shoeing, and the great care and attention which must be paid to horses' feet ; for hoofs are often so brittle that you can hardly keep a shoe on them. These will require great attention, and the use of the hoof ointment two or three times a day. The blacksmith must be a careful and steady man, for bad and defective shoeing is often the cause of horses breaking down; for instance, allowing the foot to grow out at the toe, is apt to throw so much additional stress and strain upon the back sinews, that they often give way in consequence.

The foot should always have a level and even bearing, with the toes tolerably short, and neither lower nor higher on the outside or inside, unless shod so for some special purpose or with some object in view, such as giving additional support, by raising the shoe either on the outside or inside to the suspensory ligament. This at times is found necessary. The shoe should always be made to fit the foot, with the nails small and not driven too high. Some persons object to low-heeled horses, but I am not of that opinion, for a careless blacksmith can do less harm here than he could do with a higher-heeled horse, as he dare not remove much of the horn from the former horse, and therefore you will get a more uniform bearing; in addition to which many of our best horses have had low heels, and in many instances have continued to train on for a long period in perfect soundness.

The head-man between stable hours should have everything about the establishment, such as forks, brooms, pails, yards, &c., kept in good order. The man who is appointed to look after the saddlery must keep his saddle-rooms clean. The observant visitor will at once perceive whether the head-man takes a pride in his work, and if he does not the trainer is primarily to blame.

After this digression in speaking of the stable management, we will now return to the horse that is undergoing a preparation for the Two Thousand or Derby, whom we left after going through his sweating gallop. The day following, after the usual walking and trolling exercise, he should be sent one canter, and after that a steady gallop of a mile and a quarter,

always being led, if possible, by the same horse; for this will give the young three-year-old special confidence, knowing, as he does, his superiority over the animal that leads him. His gallops therefore are not likely in any way to frighten him. When going a faster and more severe gallop, it may be found necessary to put a lighter weight on the horse which usually leads the work, a stone or so less than he has been used to carry. This will be done to ensure a good gallop of the proper pace throughout.

If the horse is now sufficiently forward in his preparation (having undergone six or eight of the sweating gallops, before recommended on the assumption that we have a gross kind of horse), as he ought to be by this time, then on the second day after his last sweating gallop he should be stripped, as should also the horse which leads him. The latter after the usual walking and trotting exercise, and after cantering, may bring the three-year-old at a good three-parts speed a little over a mile, the pace to be true throughout. This sort of work will sharpen him up a bit, and make him blow freely, and possibly, as you are now getting him forward in condition, you may hereafter dispense with the sweating gallops, for the weather by this time will be growing warmer, so that he may be found to sweat sufficiently in his exercise gallops, for his previous long work will have lightened and cleaned him; and now you will go on progressively from day to day, taking care, two or three times a week, that your horse is sent a gallop as last recommended. This will not frighten him because, as already observed, he knows his superiority over the horse

which leads him. The other days he can do easy work, say one or two canters and a steady gallop. On Sundays it will only be necessary to allow the horses to walk out for an hour and a half, unless, of course, an animal should be engaged to run on the following Monday or Tuesday, in which case it is absolutely necessary for him to do his usual work.

As to the idea of not taking out the horses at all on Sunday, and allowing them to be confined in their close and heated stable for forty-eight hours, from the Saturday morning till the Monday morning, surely it must be a great mistake to prevent the poor animals who cannot go out at their own will, as human beings can, from breathing the fresh and pure air? The best ventilated stables are apt to become close and stuffy, and it is not possible that animals can thrive if so confined, especially animals organised as is the racehorse in training. Due respect for Sunday is always to be inculcated, particularly in a stable, where there are numbers of lads who should have a good example set them; but at the same time the rules that are dictated by common sense must not be ignored.

We will suppose that all has gone well, and our horse is by this time getting clean and forward in condition: his regular work should then be pretty much as follows:—Walk on the Sunday for an hour and a half, unless very close to his engagement. On the Monday he should do two steady canters, and a steady mile-and-a-quarter gallop. On Tuesday, after his usual walking and trotting exercise, let him go two canters steadily, then take his body clothes off,

leaving perhaps a rubber on under the saddle, and also his hood, which will make him sweat a little. Now put your lighter boy on the horse which usually leads the work, and let them come a good three-parts-speed gallop a little over a mile, taking care to tell the lads (who should be the best you have in the stable) to 'balance' their horses nicely on jumping off.

By balancing the horse it is meant that the lads on jumping off in the gallop should, after going about fifty or a hundred yards, take a steady and strong pull at their horses in order to make them gallop in their proper action and form, for it sometimes happens in jumping off suddenly in a gallop or a race that a horse will get off cross-legged, and when this happens the rider should instantly take a steady pull to 'balance' him; for no horse can gallop fast, or far, when going cross-legged, and many races are lost through horses being driven into their bridles at the start when they are not galloping true. When this happens, as it frequently does, the jockey should instantly take a steady pull to right his mount, and even if he loses a length or two in this operation, it is the less of two evils, for no horse can possibly gallop through a race successfully, cross-legged.

Jockeys who thoroughly understand their profession, T. Cannon, J. Osborne, Webb, Wood, and Watts, never allow their horses to go cross-legged fifty yards. Wells, Archer, and Fordham, masters of the art whose loss is still felt, were especially admirable in their riding under such circumstances. No jockeys knew better how to sympathise with and

balance their horses, and Tom Cannon inherits and exhibits the best qualities of both.

When the horse pulls up from his gallop he should be allowed to walk about for a few minutes, and then the girths may be slackened and the body clothing put on. On the Wednesday, the horse should have his usual walking and trotting exercise, and then one steady canter of about five furlongs, and a steady gallop of a mile and a quarter. On Thursday, after his walking and trotting exercise, he should have two steady canters and a half-speed gallop of a mile and a quarter. On Friday the same work should be done as on the previous day; and now, as we are approaching the time of the horse's engagements, on Saturday, after the usual walking and trotting exercise, let him go two canters, after which, led by the horse which usually leads him, with the lighter boy on, come a little over a mile at his best pace.

The Two Thousand horse will not be overdone by this sort of training, because of the inferiority of the animal that he follows. Pursue this course of training for a fortnight, after what has previously been done, and the horse will be fit to try at any moment; after which he will be ready to meet his engagement, and whether he is good, bad, or indifferent, providing nothing untoward has happened to him through his preparation, he should now show his best form whether he wins or whether he is beaten. If he is a horse of sufficient class, depend upon it he will be hard to beat.

Supposing now that he gets through his trial and his race for the Two Thousand successfully, the

trainer will let his horse walk and trot about two or three days after winning. Then for the following two or three days (after his usual walking and trotting exercise) the horse may do a canter of six furlongs daily. After this, if he is in perfect health and soundness, he should continue his preparation for the Derby. Let him, on the Monday following the Two Thousand, after the usual walking and trotting exercise, go a steady canter, and a mile at a steady pace, and on Tuesday do the same work. On the Wednesday he should be given two steady canters, and a mile-and-a-quarter gallop. On Thursday and Friday let him have one canter, and come a mile and a quarter steadily, and on Saturday he can have one canter, and then come a little over a mile and a half at half-speed, his body clothes being taken off, and his hood and rubber left on.

This will bring us to within a fortnight or three weeks of the Derby, ample time considering, as we assume, your horse has already won the Two Thousand, and is therefore fit to run. The trainer now should be guarded against overdoing his horse in the way of work, and this is a matter of the first importance.

As we begin work again on the following Monday, let the horse canter about five or six furlongs, and then come a mile and a quarter steadily, doing the same work on Tuesday. On Wednesday he should be given two steady canters, and a half-speed gallop of a little over a mile and a half. On Thursday, one canter, and then a steady mile gallop, doing similar work on the Friday, and on Saturday (if the horse is feeding well and going on satisfactorily) let him have one canter, and then come a little over a mile and a

half at three-parts speed, taking care that the gallop is increased to a faster pace towards the finish. Repeat this work during the following week, and now, as we have only ten days left before he has to meet his Epsom engagement, he must on the Monday continue his work pretty much as follows :—One canter and a mile gallop steadily. On Tuesday two steady canters, and then a mile-and-a-quarter gallop at half-speed. On Wednesday take off his body clothing, leaving nothing on except his rubber and hood, and after cantering five or six furlongs steadily, let him come a good three-parts-speed gallop of a little over a mile and a half, taking care that at the finish of the gallop the horse leading him finishes at his best pace. On Thursday and Friday let him go one canter, and a steady gallop of a mile, and on Saturday repeat the work done on the preceding Wednesday. On Sunday let him do one canter of six furlongs. On Monday, if he has not left for Epsom, give him one canter, and a mile and a half at half-speed, finishing the gallop at three-parts speed. On Tuesday he will be travelling to Epsom, where possibly he may arrive from Newmarket at mid-day, in which case, if comfortably done up after his arrival, say by 2 P.M., go to the stable again at 5 P.M., let him be dressed over and made ready to walk out for three-quarters of an hour; then on returning to the stable let him be dressed over, after which give him a small standing feed, and three-quarters of an hour afterwards go to him and do him up for the night, taking care not to feed quite so heavily as usual. If it is known that he does not eat his straw it is best not to muzzle him.

On the following morning go to him at 5.30 A.M., have him dressed over and got ready for exercise; give no corn or anything now, for he does not require it. Walk on the course, and if he has fed well and eaten up during the night let him have two canters steadily and return to the stable at once. Have him well dressed over and done, give him a quarter of a pail, or a little more than a quarter of a pail, of water, and about a bowl of corn, after eating which, put his muzzle on, turn him loose and allow him to be in quiet until it is time to go to the stable. Then have him made ready nicely to go out to run, allowing him about an hour and a quarter or a little more to walk before the time set for his race.

Should he succeed in winning the Derby and be engaged in the St. Leger with intermediate engagements, say at Ascot, Goodwood, &c., his owner will determine and decide for which races he wishes to run him, always keeping in view his engagement in the St. Leger. After this the training of the horse should be continued pretty much as the foregoing for future events, always taking care not to overwork him. The old school of trainers, such as John Scott (and a very able and successful man he was), usually gave a dose of physic to his horse after winning the Two Thousand, if engaged in the Derby, as it was thought to freshen him up more readily than by any other means; but purgatives in my opinion should always be avoided as much as possible, in consequence of the relaxation they cause to the system generally, and there are other means of freshening up your horse which are preferable, for

you cannot always tell the exact result of giving a dose of physic.

Of course, much is said about the orthodox system of giving a horse a Two Thousand and Derby preparation, but depend upon it the horse can be no more than fit to run at the time he is wanted, and the trainer, if a wise man, will pay no attention to the comments made by outsiders upon the preparation he has given his horse. They cannot possibly be in a position to know what is the best treatment for an animal they never or rarely see, and even if they do acquire a little information, they are not behind the scenes, and the trainer must know the constitution of the animal he is preparing better than those who have no opportunity of judging beyond what they observe upon the exercise ground.

The reader will understand that the preceding system of training only applies to the strong and gross-constitutioned horse, for whom the preparation must always be more severe than for a light and weaker animal, who of course must be trained as his constitution will bear. He will require less work and more delicate feeding, although it will be necessary, even with the latter class of horse, to let him undergo a sound preparation, which should be carried out with caution and care. It is better with this kind of animal to walk for a day or two without doing anything, than to give him a gallop so severe as to run the risk of upsetting him for a whole week.

The trainer therefore should continue to train his animals (whatever they may be) placed under his charge, as he finds their constitution will bear it, for the constitutions and dispositions of racehorses are

extremely various, and what is best for one is fatal to another. Proofs of this are too numerous to be disregarded; for instance, an animal who won the Cesarewitch in a common canter, with 8 st. 7 lb. on her back, never went further than a mile and a quarter during her preparation and exercise gallops, because it was found she could not bear longer gallops, notwithstanding that she was a wonderful stayer.

It is on record that a horse won the Derby by a head after doing nothing but walking for nearly three weeks previously. Of more recent date, Hermit did nothing but walk for several days before he won his famous race, and Harvester also ran a dead heat with St. Gatien for the Derby (and would have won it, too, if, as previously arranged, Archer had ridden him), though he had done nothing but walk for several days before he ran for the race, and was under the veterinary surgeon's care the whole of the time. This being so, what becomes of the orthodox system of the so-called Derby preparation? One horse, we find, can walk only for nearly three weeks, and yet win the Derby; another can walk several days, after breaking a blood-vessel, and still be victorious; and the third, from defective formation and consequently unsoundness, does nothing but walking exercise for several days before running, and yet makes a dead-heat for that race, which he would certainly have won had he been better ridden. This is casting no reflection upon the jockey who had the mount, for no one will dispute Archer's superiority as a horseman to S. Loates.

Training, it therefore appears, is a matter of

penetration, of observation, of comprehension of the horse, and of the difference between horses. An experienced and skilful trainer will perceive what mode of treatment and management is best adapted to the animals placed under his charge. All may be anxious in their calling, but all will not have the same ability to carry out their work, nor will they possess the experience so necessary to enable them to do so successfully.

They may win races in their turn, for most horses do this without any particular attention being bestowed upon them by their trainers, the knowledge and experience of their owner in placing them being enough, and much depends upon the wise placing of horses; but there is something in the nature of fluking about this, and in order to make racing pay, a really competent trainer, who, being competent, follows a really judicious method, is a primary essential.

Of course, during the preparation of horses it often happens that they go amiss on their legs or constitutionally, in which case, if the mishap seems serious, the best veterinary surgeon available should be called in; for, although the trainer may know the best treatment to be adopted under various circumstances, it is far more satisfactory to himself and to the owner of the horse (particularly so to the latter) to know that sound professional advice has been sought and adopted. At Newmarket there is no one more competent to give advice than Mr. W. Barrow, sen. His reputation extends far and wide, and his duty is always fearlessly and conscientiously done.

In conclusion, it need only be observed that it is

the soundness of the internal organs, as well of the feet and legs, that makes the racehorse. The formation of the animal appears to have little to do with its excellence, for, as the saying goes, and it is a true one, 'horses run in all shapes and forms;' and if the horse of sound constitution and soundness of limbs is also a light-fleshed horse, then the owner ought to be satisfied and congratulate himself upon possessing the animal, if of a good class and of real merit.

The trainer will not have much difficulty in preparing an animal of this sort for his engagements, for he will require little or no preparation when once fit to run, and with judicious management will always be ready to meet his engagements; whereas a horse of a grosser constitution will require much more training.

As before remarked, horses have their likes and dislikes. Some will run their races best upon hard sound ground; others like the going moderately soft, without being in either extreme, too soft or too hard; others, again, like it to be heavy and holding, the last sort usually being short and quick-actioned horses.

The size of the feet has nothing to do with a horse's capability of getting through dirt, though opinions on this head are constantly heard. When any peculiarity of the animal's action and suitability for one sort of going in preference to another is observed by the trainer, he should at once acquaint the owner in order that he may be able to place his horse to advantage, and engage him to run over courses which are known to be either what

is technically termed 'good going,' or the reverse, soft and heavy, as the horse prefers it; and, therefore, much must depend upon the power of the trainer's observation in advising the owner how best to place his animals.

Many owners and some trainers believe that it is the right thing to run a horse constantly when he is quite fit; but after a time a horse subjected to this treatment becomes 'stale.' This means that the excessive work it has undergone has consumed not only the reserve materials, fats and other substances not directly concerned in movement, but also its muscular tissues. It has now lost its form, and must be indulged with a long rest. Some trainers have curious theories about their business, many of which cannot be entertained by thinking men. For instance, in training a racehorse, great importance is attached to causing the disappearance of fat, and it is well known that by diminishing the quantity of this tissue the horse is enabled to breathe more easily. But trainers give a fantastical explanation of this fact. They pretend that the 'internal' fat hinders the movements of the lungs, and that by its removal these organs have freer play. This explanation is quite unsatisfactory, says Mr. Fernand Lagrange, a great authority on such matters, and a man in whom I firmly believe. He says, 'First, the lung is, of all the viscera, that least subject to fatty deposit. Further, the immunity from breathlessness during work is seen in all trained persons alike, even in those who have more fat about them than many untrained individuals. In fact, many horses train fat, and weigh at least as much as, and sometimes more than, they did when

training began, only the nature of their tissues is no longer the same; their diet and training have caused the disappearance of all the materials useless to movement, and developed on the other hand the tissues necessary for racing. Their fat has almost disappeared and been replaced by muscle.'

Mr. Lagrange agrees with me that unless a horse is born with staying powers in him, no amount of training can make him really stay. He contends that the word 'staying-power' applies to the qualities of the animal, not to the nature of the work he performs, and that the animal provided with this power is the only one whose system is fit to support prolonged work. A horse running in a race out of his course, that is, beyond the distance in which he can show his best form, is an animal which produces more carbonic acid than he is able to eliminate. This causes a rapid intoxication which paralyses his action, and, unless he is far superior to his antagonists, no amount of skill on the part of his jockey, who has nursed his speed to the last moment, will prevent this inevitable intoxication, and land him first past the winning post. There are about four jockeys riding now—Cannon, Webb, Watts, and Osborne—who can ride a perfect waiting race on a horse over a distance which is known to be beyond his tether, and they will appreciate these remarks when they think of the sobs and sighs of the animals they have ridden and waited with to the last possible moment, when within sight of the winning post they reluctantly have to turn the pressure on, to win, or as is generally the case to lose, the race on the animal they have handled so patiently. To my mind, there is no

greater treat than to see one of these masters of his art riding a waiting race on a horse that he believes he will never be able to get home successfully; and, while paying every possible tribute to the other three jockeys I have mentioned, perhaps Cannon's consummate skill in this particular style of riding, and his superlative horsemanship in balancing his animal before he has to sit down and ride him home in grim earnest, have oftenest excited my admiration. If only younger jockeys could contrive to take a leaf out of his book!

CHAPTER VI

THE RULES OF RACING

THE revised Rules of Racing which have just come into force are a decided improvement on the old rules, but they are far from perfect, and still leave much to be desired. For instance, in Part I. it describes a 'Selling Race' as one in which *every horse running*, if a loser, may be claimed, and if the winner, must be offered for sale by auction, or be liable to be claimed. This rule, therefore, prevents a race from being a selling race in which exemption from sale can be claimed by any horse at the time of entry, and a horse, although entered to be sold for 100*l.* in the latter race, if he wins it, is liable to carry a penalty in all future engagements, though the conditions may state winners of 100*l.* 3 lb. extra, 'selling races excepted.'

On the opening day of flat racing in 1890 Young Hermit, entered to be sold for 100 sovs., won the Tathwell Stakes, which was an optional selling race for two-year-olds, inasmuch as horses claiming to be sold for 100*l.* were allowed 10 lb. The winner was bought in for 700 guineas, and on the following Tuesday was sent to run for the Little John Plate at Nottingham.

The conditions of this race are that the winner of any race, *selling races excepted*, is to carry 3 lb. extra; thus by this new rule making optional selling

races *not* selling races, Young Hermit, although he had only run and won once in his life an optional selling race, in which he was entered to be sold for 100 sovs., had to carry a penalty in an ordinary weight-for-age race because he had won a race that was 'not a selling race.' After this absurdity the sooner the rule is altered the better, and I suggest that it should be framed on the lines of the old rule making horses that have won these optional selling races not to be sold liable for penalties as if they had won an ordinary weight-for-age race, and those that are winners of these races having claimed to be sold only to be considered winners of ordinary selling races; and, furthermore, I would exempt all winners of weight-for-age selling races from penalties, and I would not oblige horses to carry penalties in handicaps after the weights have appeared for winning weight-for-age races between the time of the publication and the day on which the handicap is run. If the handicapper knew, as he ought to have known, the form of the horse when the entries were before him and he was making the handicap, it is positively unfair that the horse should be made to carry a penalty for winning a weight-for-age race in the interim, possibly against horses different from those he would have to meet in the handicap, for he is only showing the form the handicapper knew or supposed him to possess when he made him give or receive weight to the other horses engaged.

I now turn to Part IX., Rule 75, which states that allowances, when practicable under the conditions of the race, must be claimed at the time of entry,

or they shall not be allowed'; and to Part XVI., Rule 125, which states that allowances must be claimed at the time of entry where practicable (*see* Part IX.), but omission to claim is not a source of disqualification, 'and a claim for allowance, to which a horse is not entitled, does not disqualify unless carried out at scale.' The first of these two rules has been a rule of the Jockey Club for years, and I have known many horses, that have won such races as the Trial Stakes or Craven Stakes at Epsom, that could have been *disqualified* because they claimed an allowance of weight at scale which they could perfectly have claimed at entry. I will give an instance. The Trial Stakes at Epsom closes late on the Monday night, and is run for the first race of the meeting. It almost invariably has an allowance of 7 lb. for horses that have never won a race of the value of 200 sovs. If, therefore, a horse is entered for this race who is entitled to this 7 lb. allowance without its being claimed for him at entry (which has never or hardly ever been done hitherto, and yet is practicable, as there is no race for him to run in between the time of entry and the moment for weighing for the race), and the 7 lb. allowance is claimed for him at scale and taken, that horse could have been disqualified if he won the race for not obeying what was then up to 1890, inclusive, Rule 16, Part IV., 'allowances when practicable under the conditions of the race must be claimed at the time of entry, or they shall not be allowed.'

These allowances in the kind of race I am pointing out always have been taken and allowed at scale; therefore, the horse, if he wins the race, could

have been disqualified, because he took an allowance he was not entitled to. I have pointed this out to Stewards of the Jockey Club, and the result, apparently, is the two rules I have quoted, which are not at all satisfactory to me, because in Rule 125 it states that omission to claim at the time of entry is not a source of disqualification. What, therefore, *is* the penalty if the owner claims the allowance 'at scale' and wins the race? I am curious to know this, particularly since another rule states that if another horse carries anything more than the 2 lb. *over* his proper weight he *is disqualified*, and here a special rule appears to have been framed to prevent the disqualification of horses that carry *less* than their proper weight in the many weight-for-age races, similar to the Trial Stakes at the Epsom Spring Meetings, which are run for all over the country. I sincerely hope for the good of racing, for the benefit of gentlemen who consent to act as Stewards at country meetings, and who have not studied the Rules of Racing, and indeed of everyone interested in the sport, that the Jockey Club will soon see their way to determine the actual penalties, as far as lies in their power, attached to all the different rules of racing. I feel sure it would be perfectly feasible to carry this out, especially as the Club numbers amongst its members one so able as Sir Henry Hawkins, whose valuable opinion has been of so much help to the club. I give the conditions of the Trial Stakes at Epsom for 1890 as follows :—

The Trial Stakes of five sovs. each for starters with 100 sovs. added, for three-year-olds, 8 st. 7 lb.; four, 9 st. 10 lb.; five and upwards, 9 st. 12 lb; m. and g.

allowed 3 lb.; winners of a race value 500 sovs. in 1889 or 1890 to carry 7 lb. extra; *those which have not won a race in those years value* 200 *sovs.* (selling races not counted as races) *allowed 7 lb., and if maidens, allowed 7 lb. in addition.* Entrance two sovs. Six furlongs.

Whistle Jacket won the Southdown Plate, similar to the above race, at Brighton August Meeting last year, and claimed an allowance, at *scale* only, for not having won a certain sum. He is one of the many horses that could have been disqualified, but I never thought it my business to inform the owner or trainer of the second horse in these races that he could disqualify the winner, knowing that it was through ignorance that the allowance was not claimed at the proper time.

We now come to Part III., Rule 12, dealing with the powers of Stewards of a meeting, and with this Part XXIII. must be included, as one has bearing on the other. I object to both rules as not being strong enough. They do not tell the Stewards that, if an owner or manager of horses goes to them for their advice about what weight his horse is to carry, or to ask them to interpret the conditions of some race, they are to give a decision to the best of their judgment (subject to an appeal to the Stewards of the Jockey Club), which is to be carried out; that they are there to help the Clerk of the Course, owners of horses, and everyone connected with the meeting, and that they are not to shirk the responsibility of giving not only their opinion but their instructions when cases are brought before them to decide before a race.

Rule 85 states that all subscriptions, entries, &c.,

become void on the death of the subscriber. It has often been discussed whether this rule is advisable or not. The chief argument against it is this. A man has a valuable two-year-old that has run well enough to give him a chance of winning important future engagements. He dies, the engagements are void, and therefore the horse has decidedly deteriorated in value. If the rule ever was to be altered so as to allow engagements to stand after the death of the subscriber, and it was found impossible to make the engagements binding on the heirs, it might be possible to frame a rule allowing the heirs to give notice that they will be responsible for all standing engagements within a fortnight of the owner's death; but not being an advocate of conditional terms, I merely put it as a suggestion before readers who may be interested in the rules.

In Part XIX., Rule 140 states, 'An owner running two or more horses in a race may declare to win with one of them, and such declaration must be made at scale. A jockey riding a horse with which the owner has not declared to win, must on no account stop such a horse, except in favour of the stable companion on whose behalf declaration to win has been made.' This rule was framed by me and offered to the committee, and I am pleased to see they have adopted it. Under the old rules there was not even a stated time by which an owner had to declare to win with a horse, and this laid open a way for fraudulent practices; but, owing to the faultiness of the rules, I doubt if the Jockey Club could have punished the perpetrator of them. Here is the idea. An unscrupulous owner has two horses engaged in

a race, one a public horse likely to be favourite and win the race, the other one a dark one. He engages two jockeys to ride, the one on the good horse carrying the proper colours. At the last moment just before going to the post, the owner says to this jockey, 'I have declared to win with my other string; you are, therefore, on no account to win.' He then tells his other jockey to do his best, and goes to the Clerk of the Scales just before the time for starting, and makes a declaration to win with the dark horse. The Clerk of the Course may or may not have just time to put a notice to that effect on the board; but, by that time, the mischief is done, as the owner will have instructed agents to bet as much as they can against his good horse, the numbers having been up a quarter of an hour. Even if this is considered a far-fetched piece of imaginary villany, it is only right that the public should be informed in good time if an owner intends making a declaration, and if he fails to do so, they will now know that both his horses will run on their merits.

Lord Falmouth was very fond of running thus, and I believe he broke Spinaway's heart in that desperate race against Ladylove for the Newmarket Oaks. I observed that Archer always contrived to ride the better of his two, and invariably beat the stable companion. Three times in the last seventeen years have owners run first and second for the Leger. In 1873 Mr. Merry won with Marie Stuart, Doncaster being second. In 1877 Lord Falmouth ran first and second with Silvio and Lady Golightly; and in 1878 with Jannette and Childeric, Archer having the successful mount on both these last occasions.

Rule 142.—If a race has been run by all the horses at wrong weights, or over a wrong course or distance, or if the judge is not in the box at the time the horses pass the winning-post, the Stewards shall order the race to be run again the same day if practicable, but if otherwise it shall be void.

To this rule ought to be added, after the word practicable, 'and all the horses to take part in the proper race, subject to a fine of —— if the owners do not choose to send them to the post again.' The first race was equivalent to a false start only. What would people say if, in an ordinary race, ten horses went to the post, and after one false start eight of them came back again, and their owners refused to run them? Yet the equivalent of this happened in 1889 after the false race in the Newmarket Oaks, when the Jockey Club Stewards ordered the race to be run the following day, and none of the starters whose numbers had been exhibited at the proper time for the race the day before put in an appearance except the winner Pamela!

Rule 158, stating that in all races with not less than five entries, the second horse shall at least save his stake and entrance, is a kind provision for the owner, as it is a galling position to occupy, though there is always the satisfaction of feeling that one's horse has at any rate shown some form.

Rule 170 deals with the periods of time within which objections have to be made, and the different reasons why a horse may be objected to; and, although the rule covers the error, it is curious that the actual words 'carrying under the proper weight' have not been instanced as a reason for an objection.

I should weary readers if I went through every rule, and now close these criticisms, merely observing that, although the greater part of the revision of the Rules has been very ably done, there is still a good deal that ought to be added to them, besides which cases crop up at times that need rules to be framed on purpose to provide for them. It would certainly help the racing public, however, if all new rules, or additions to, or alterations in, the new rules (except in very urgent cases) that are passed during a year, only came into force at a fixed period, say the commencement of the following racing season, as it is much easier to study a quantity of alterations *en bloc* than to have them coming into use at different times.

In considering the Rules of Racing the question of reciprocity naturally occurs, notwithstanding that a rule, not long since introduced and lately withdrawn, designed to exclude foreign horses, has been expunged. A few years ago Lord Falmouth brought forward a motion to restrain owners of French horses from entering in all our races, unless we were permitted to run our horses in France. Some people thought that Lord Falmouth ought to have been the last man to propose the motion, inasmuch as he suffered more directly than any other owner, having run repeatedly second in rich stakes, which were won by M. Lefevre and Count Lagrange; others argued that England owned the best horses in the world, and welcomed foreign horses to throw down the gauntlet against her fleetest racers. Besides, there was just the faintest suspicion of narrow-mindedness about the whole business. Personally, I was all for foreign horses coming here, and the Jockey Club, if it had passed Lord

Falmouth's rule, would have been ungrateful enough to forget that only a few years before, at the outbreak of the Franco-German war, Newmarket, then at a very low ebb, was practically saved by the influx of German and French horses into this country. Communications took place between members of the English and French Jockey Club, with the result that the latter pointed out how impossible it would be for them to open their races to English horses, when so many of them derived the money added from societies especially promoted for the improvement of the breed of horses *in France*. It is a pity that we have no such *Sociétés de l'encouragement* in England, to improve the breed of our horses and to try and get stayers, a class of animal that in a few years' time in all probability will be as extinct here as the hare or the landowner. If Lord Falmouth was the chief sufferer by the inroads the foreigners made in our valuable races, I think he was quite right to ventilate the subject of reciprocity on that score; but he argued against his creed, for was he not a Liberal in politics and therefore a free-trader! I am not a free-trader, but as a somewhat impoverished landowner I long to see a tax levied on every foreigner who comes to England to seek work, which he takes out of the very hands of the Englishman. The latter works for fixed wages, and during fixed hours, and is content to do so all his life, without dreaming of leaving his native land; but he has no chance of competing with the hungry foreigners who come over in shoals from Germany or elsewhere every year, and pervade the whole of London like an ants' nest let loose on the city: and why? Because the foreigner only comes

here for a certain number of years, determined to save enough money to set him up in some business, and he will work longer hours and for less wages; in short he outbids our countrymen, with the result that the latter go to the wall.

Let the foreigner come, I say, in hundreds or thousands, but let him pay a tax to do so, on himself if he wants work, on his racehorses if he wants to compete for our prizes. But I go even further than this. Year after year it is positively distressing to find so many of our best foals, yearlings, racehorses, brood mares and stallions, sold to go to other countries, and I should like to see a tax on every thoroughbred that *leaves* this country, the money accruing therefrom to be spent in the purchase of sound thoroughbred stallions, to be located in different parts of England, at a nominal fee, for the improvement of the breed of horses. It is a national disgrace that something of the kind is not done, and too late we shall find out our culpable neglect. Even now it is a pitiable sight to see the way some of the men are mounted in our first-class cavalry regiments, certainly far worse mounted than the whips of the Atherstone Hunt for instance; yet Mr. Oakeley, the popular master, never paid a large sum for the servants' horses, but has invariably purchased young horses from farmers in the country, many of them the produce of stallions he himself has kept; but of course the supply is moderate and there ought to be a hundred horses bred to every *one* now.

After Plaisanterie's dual victory in the Cesarewitch and Cambridgeshire of 1885, Mr. W. G. Craven brought forward a motion 'That no horse is eligible

to be handicapped for any public race, unless he shall have been habitually trained in the United Kingdom, or have twice run there during the six preceding months of the racing season.' It was carried, and it may be admitted that the idea which suggested such a motion was a good one, because it ought to have been a help to the handicapper, who could not possibly form a correct estimate of a horse's running power, unless he had seen him run in one or two races; and to put a prohibitive weight on foreign horses because he was ignorant of their merits would not at all have conformed to the sense of British justice, or have found favour in the eyes of unprejudiced people, who liked to see horses of all nations assembled at the post to try conclusions. Nevertheless, this motion was distasteful to the majority, chiefly because it was brought forward at a moment when a public performer like Plaisanterie, not one that had been running in races merely to blind the eyes of the handicapper as to its true merit, had demonstrated her superiority over the English horses, not only by winning the Cesarewitch with the considerable weight for a three-year-old of 7 st. 8 lb. on her back, but by carrying the extra 14 lb. so gallantly, and winning the Cambridgeshire with 8 st. 12 lb., a performance that has never been equalled by a filly of her age, and only once eclipsed by a colt, when Foxhall won with 9 st. in 1881. Neither did the motion have the result that was anticipated, as Ténébreuse in 1888 was sent over to run at Ascot and Goodwood to qualify. Most likely through not having been properly trained to run long courses she was well beaten at those meetings, though doing her

best in the condition she was in at the time; but she carried off the Cesarewitch of that year, though not too lightly in with 8 st. 12 lb. on her back. In 1889 the rule was done away with. After all, in the last twenty years, the Cesarewitch has only been twice won by foreign horses, the two French mares mentioned above; but in the shorter race our French neighbours have been more fortunate, as no less than four winners have taken the Cambridgeshire between '73 and '85, viz. Montargis, Peut-être, Jongleur, and Plaisanterie, whilst Germany was responsible for one, when Adonis won in 1870.

Almost at the moment of this book going to press, a most important alteration has taken place in the Jockey Club rules, and in the near future we are to have more races over a distance of ground. Lord March's motion has been considerably modified since he first introduced it; and, although strong opposition would have been given to it in its original form, even its antagonists must admit its moderation. My doubt as to the success of his suggestion only rises from the fact that it will come into operation too quickly, that it would have been better to have given it a trial, which could easily have been done, by the Stewards of the Jockey Club inviting all Clerks of Courses to frame their progammes as much as possible according to the terms of the proposed new rule before the latter was actually passed, so as to prevent any chance of having to rescind it, or having to make fresh alterations within a year. Curiously enough, as the talk of reviving long races cropped up, so has the idea of again having half-mile two-year-old racing the first three months of the season been mooted by

a certain section of owners. I trust the Jockey Club will set their face against this. The answer to those people who assert that five furlongs is too far for a two-year-old to run early in the year is, that when there were half-mile races, they were run from end to end; that if a horse jumped off cross-legged the jockey had no time to get him into his proper stride without losing many lengths in doing so; that five-furlong races are generally not run at best pace for more than three hundred yards, and that a jockey can now once or twice during the race give the horse breathing time, which was an impossibility to do during a half-mile race. This I have from the lips of Tom Cannon, than whom no better authority could be quoted. This experienced owner, trainer, and jockey considers it far better for two-year-olds to run five furlongs as they do now than to take part in those half-mile scrambles where they have to go from end to end; and I must say, after carefully witnessing hundreds of races over both distances, I cordially agree with him.

Two incidents occurred in 1888 which it may be profitable to discuss as instances of the difficulties with which Stewards have to deal at times, and of the troubles that arise if common sense and the rules of racing are ignored.

In the first place a horse called The Celt won a plate at Sandown, and was objected to by the owner of the second for carrying 7 lb. short of weight. Before the race the owner of The Celt had asked the Stewards of Sandown to decide what weight his horse ought to carry, and, after sending for the framer of the conditions of the race and learning what his *intention* was

when he drew them up so badly, they unfortunately went more by that than by the actual letter of the conditions. Being told on the only available authority what weight his horse ought to carry, the owner of The Celt instructed his jockey to carry it. No other course than that which he took was possible.

What the Clerk of the Course ought then to have done, in my humble opinion, was to publish the decision of the Stewards in some conspicuous place at once, so that an owner of any other horse in the race had a chance of objecting in good time before the hour fixed for the event. This, however, was not done. After the objection had been lodged the Sandown Stewards refused to allow the appeal to the Jockey Club Stewards; but, in spite of this, the latter did entertain the case, and disqualified The Celt for carrying less than his proper weight. Mr. Lowther, the Senior Steward, in his Gimcrack speech at the end of the year, upheld this decision of the Jockey Club Stewards; but he omitted to tell his hearers that, after they had disqualified The Celt, and the owner of that animal had threatened to bring an action against the Clerk of the Course at Sandown, he advised Mr. Hwfa Williams (the latter told me so himself) to give the owner of The Celt the stakes, notwithstanding that they had then been paid to the successful objector. Was this from compassion or because Mr. Lowther had not the courage of his convictions, or that he is vacillating in his decisions, or that he feared that the Stewards of the Jockey Club had overruled a decision which they might not have been qualified to do in spite of the legal opinion they took, as the Sandown Stewards had refused the appeal?

Whichever it was, in vaunting forth the praiseworthy behaviour of the Stewards at a dinner of gentlemen and tradesmen not likely to answer him, he did not tell them this little detail as I give it to my readers now; though no doubt The Celt did, as a matter of fact, carry the wrong weight.

The other case I have mentioned was at York August Meeting, when Morton, the trainer of Althorp, went to the Stewards and asked them what weight the horse ought to carry, he having won the Lewes Handicap, worth 164*l.*, since the publication of the weights for the Great Ebor Handicap, for which the conditions were as follows: 'The Great Ebor Handicap Plate of 1,000 sovs., by subscription of 20 sovs. each, 10 ft., and only five if declared on Tuesday next, August 14th, to Messrs. Weatherby only, for three-year-olds and upwards; the winner of any handicap or race, value 200 sovs., after the publication of the weights (August 8th, at 10 a.m.), to carry 7 lb., of two handicaps, or one value 500 sovs., 10 lb. extra; one mile and a half over the old course. 31 subs. Closed July 17th, 1888.'

The blot in these conditions is that there was no comma after the words 'any handicap,' and that they might be construed into meaning that the winner of any handicap after the publication of the weights was to carry 7 lb. extra, and therefore Althorp had incurred that penalty; or that the handicap won must have been of the value of 200 sovs. to oblige the horse to carry the penalty, and then Althorp would have escaped it, the Lewes Handicap, as already stated, having been worth only 164*l.* It is hardly conceivable that men accepting the office of Stewards

should have shown themselves so incompetent as to tell Morton that they could give no decision in the matter! What they ought to have done is as plain as a pikestaff: they ought to have decided that, as the conditions of the Great Ebor Handicap were open to two different constructions, Althorp must carry the 7 lb. penalty, and they ought to have had a notice published to that effect outside the weighing-room, and to have told Morton to declare the weight his jockey was going to ride twenty minutes before the time fixed for the start. They could have reported their decision to the Stewards of the Jockey Club, and have refused to go into any objection made by any owner who had a horse engaged in the race, either before or after it. As it was, Morton had no one to advise him, and decided not to run the horse.

In the revised Rules of Racing there is no provision that I can see made for an occurrence of this sort. What is the use of giving Stewards power to determine all questions in reference to racing at a meeting if they are afraid to exercise that power?

It would be well for owners of horses if a new rule were made at once to meet the case, to run something as follows: 'If an owner or his representative ask the Stewards to determine what weight his horse is to carry for a race, or to define the conditions of a race before it takes place, they shall do so to the best of their judgment, and give their decision, which shall be published on a board in a prominent place, and the Clerk of the Course, or Clerk of the Scales shall have notice to communicate the Stewards' decision to owners of horses engaged in the race in

question or to their representatives, and no objection after this has been done shall be entertained.'

I will now give that part of Mr. Lowther's speech at the Gimcrack dinner, as reported in 'The Sportsman' of December the 8th, 1888, that my readers may see that what I write about his opinion on these two cases is correct.

'During the past season, from time to time, considerable interest has been raised by supposed breaches of the racing law by those who are responsible for its administration. Notably, certain objections which have been raised, and decided at different meetings, have been the occasion of comment. I am not going through them in detail. I will only very briefly refer to the fact that the decision given by the Stewards of Sandown on what was known as the Celt case, and its review and revision by the Stewards of the Jockey Club, was the occasion of a good deal of comment. It was supposed by some, that the Stewards of the Jockey Club had no right to review the decision of the local Stewards; but I may say that, fortified with the very highest legal authority, which is within the reach of ourselves or anybody else, we found ourselves called upon to adjudicate upon the question, and that we arrived at a decision which I think commended itself upon the merits of the case to the general concurrence of almost every person who was capable of construing the language of the country in which we live. Other cases no doubt occurred. In this city, even at the last August meeting, the Stewards of the York races, of which I myself was not one, were called in question by those sapient personages, who think themselves superior to

their fellow men, for their action with regard to certain questions which arose out of the Ebor Handicap. For my own part, never having been called upon officially to express any opinion thereon, I may say, somewhat late in the day, that, in my humble judgment, the Stewards of York were entirely right; and of this I am certain, that had their decision come under the review of the Stewards of the Jockey Club, it would have been unanimously confirmed. When I say their decision, I should rather say their refusal to be drawn into a premature consideration of a question which had not arrived at a condition at which it was ripe for their decision. At the same time, in my humble opinion, the course taken was the right one.'

Surely the last half-dozen lines of this imply that the York Stewards were, in the opinion of the Stewards of the Jockey Club, quite right in refusing to interpret the ambiguous conditions of a race at their meeting, before that race was run for, and that the unfortunate owner or manager of the horse might put up whatever weight he thought right, with the certainty of an objection if his horse won, but the great uncertainty as to what Stewards of this mental calibre and culpable timidity might arrive at in the matter! In making these remarks on Mr. Lowther's speech, I trust that my readers will not think that they are in any way meant for an attack on this gentleman, or that they exceed the bounds of fair criticism on a matter of public interest.

In 1889, on the Thursday of the Second October Meeting at Newmarket, the Newmarket Oaks was, by accident, or by the carelessness of a Jockey

Club official, run for over the last mile-and-a-half of the Two Middle Miles, and therefore half-a-mile less than the proper distance. Mr. Vyner, the owner of Minthe, who came in second for the race to Pamela, lodged an objection on his jockey returning to weigh in. It was the last race of the day, and on that account I conclude the Stewards did not do what they ought to have done, according to Part VI. Rule 34, of the Rules of Racing, which states, 'If a race has been run by all the horses at wrong weights, or over a wrong course or distance, or if the judge is not in the box, the Stewards shall order it to be run after the advertised time of the last race of the same day.' This could perfectly have been done if the Stewards had been sent for when the objection was made at scale—supposing that they were conversant with their own Rules—so as to decide at once, as there was still light enough to run by; but I conclude they wanted time to decide and to inspect the starting posts, and their decision was, that the race was to be run over again on the next day; but here they committed a grievous error in not ordering all the horses that had run the wrong course to go to the post the next day. What was the Thursday's race but a false start? and had they not in Part VI. Rule 10, the following words to guide them? 'If the starter allow a start to take place in front of the starting post' (this one was only *half a mile* in front!) 'the start is void, and *the horses must be started again.*' On the Friday the winner of the Thursday's race, Pamela, was allowed to walk over for the stake, and none of the other horses that had taken part in the false start put in an appearance

for the actual race, although their numbers had been exhibited on the telegraph board a quarter of an hour before the time fixed for the race the day before, and although no reason was assigned for their not starting; and the Stewards allowed all this to go on under their eyes without as much as fining the owners of the non-starters, in spite of the latter part of Rule 32, which states that if any alteration be made in a number after it has been exhibited, the Stewards may call upon the owner, trainer, or jockey for an explanation, and if no satisfactory one be given, any of the three may be fined. The authorities have thus created a precedent for disobeying their own Rules.

There is a new Rule 142, Part XIX., evidently intended to meet a case like the above one quoted. It runs: 'If a race has been run by all the horses at wrong weights, or over a wrong course or distance, or if the judge is not in the box at the time the horses pass the winning post, the Stewards shall order the race to be run *again the same day, if practicable, but if otherwise, it shall be void*;' but even now it is not insisted on that all the horses whose numbers went up for the race should go to the post a second time, as I maintain they ought to do, after their numbers have been exhibited on the telegraph board for the race; although there still remains the old rule which the Stewards took no notice of last year, now Rule 37 in Part IV., that a start in front of the starting post, or on a wrong course, is void, and the horses must be started again.

CHAPTER VII

THE ACTION AGAINST LORD DURHAM

My Racing Reminiscences would, of course, be incomplete if I omitted to speak of the action which I felt constrained to bring against Lord Durham for the grossly libellous charges he ventured to direct against me at the dinner of the Gimcrack Club at York in December 1887. My task in the matter is necessarily one of grave difficulty, for the feeling of indignation which I experienced when first so unjustifiably and inexcusably assailed has not worn away, nor ever can do so. It is much to be supported, not only by the knowledge of absolute innocence, but by the further assurance that my friends have never for a moment believed in the possibility of my having incurred the blame which Lord Durham endeavoured to fasten on me; but the sense of having been grievously wronged remains.

I have pondered much as to the best course to adopt in endeavouring here to make the truth known. I am tempted to expatiate on the weakness of the accusations and to dwell on the completeness with which they were refuted; but it might be said that this would be to present only one side of the story, and having absolutely nothing to hide, I am most desirous that the fullest investigation of the whole matter may be opened to my readers; and I have, therefore, decided to publish the charges and the whole of my

cross-examination by Sir Charles Russell, and, of course, re-examination by Sir Henry James. I give these, therefore, from the shorthand writers' notes, and present the matter in an appendix with apologies for its length. To have shortened it, however, would have been to lay myself open to the suggestion of the malicious that I had picked and chosen matter which told with special strength in my favour, and I am most anxious to avoid such a supposition.

With the exception of a few repetitions, one or two irrelevant legal arguments, and casual points of absolutely no importance, the examinations are given verbatim; and I leave readers to judge for themselves what warrant Lord Durham had for the course he so rashly pursued. I only wish to remind those who are inclined to study the trial that for more than a year every book, letter, and document that could throw light on my racing transactions were at the disposal of my traducers. The fuller the investigation, the more searching the inquiry, the more thoroughly I knew the truth must be established, and no scrap of paper that dealt with the purchase, training, trying, running, and backing of my horses was withheld. The suspicion Lord Durham had the temerity to promulgate was with reference to my horse Fullerton. Very soon his lordship and his advisers found out what was unfortunately the true state of the case—that so far from Fullerton having been a source of profit to me, he had been a most disappointing animal and the occasion of considerable loss, and this charge having broken down they searched vaguely about for mud to fling in the hope that some of it might stick. I republish the trial, therefore, in

order that readers may see for themselves how entirely the assault failed. Mr. James Lowther's testimony to this effect at the meeting of the Jockey Club a few days after the finish of the arbitration was surely as discomfiting to my enemies as it was, of course, agreeable to myself, though it was tardy justice.

When rumours reached me to the effect that Lord Durham had singled me out for attack in his after-dinner speech, I hesitated to believe it possible. Friends, however, declared that it was at me he had ventured to point, and I begged my brother to see his lordship and obtain either a denial or an admission. Lord Durham confessed that he had aimed at me, and I at once set to work to make him do what he could—what that was the trial will show—to prove his accusation.

I cannot let pass the opportunity of expressing my cordial acknowledgments to Sir Henry James, Q.C., M.P.—and also to his juniors, Messrs. Pollard, A. T. Lawrence, and Rufus Isaacs—for the care they devoted to my case. To Sir Henry my obligations are especially deep. I was so impatient to have the matter brought on, after all the delay that had been occasioned by the other side, that I never even asked Sir Henry whether it would be convenient for him to undertake the prosecution for me when the Jockey Club decided it should come on. He most good-naturedly devoted himself to me—I may say at a moment's notice—and from my first consultation with him to the end of the trial my sense of gratitude increased. I told him unreservedly all I could think of with reference to the subjects at issue.

He pointed out to me the unfair constructions the other side would be sure to put on various matters. No man could have conducted my case in a more gentlemanly manner nor have shown me more sympathy and friendliness, believing firmly, as I knew he did, that I was charged with offences that I had never dreamed for one single moment of committing. The case was the more difficult for him, as he rarely attends a race meeting, and was absolutely ignorant of racing matters; but in spite of all this, so admirably did he master the subject that I consider he showed nearly as much knowledge of the many races extending over four or five years as did Sir Charles Russell, who has long been a regular frequenter of racecourses. All through the trial and at all our interviews I regarded Sir Henry James more as a sincere friend than as my counsel.

After my cross-examination he sent for me, asked me to go to Sherrard and to Wood, and to tell them if there was anything they had to fear it was certain to come out in the witness-box, and they had better speak out at once. Both of them expressed their entire confidence in the result of any examination to which they might be subjected, said they had nothing to conceal, and were perfectly ready to be called. It is to be regretted that in this they did not speak with more frankness. Beyond doubt they knew that I was absolutely ignorant of their private transactions, and I am convinced that they had never sinned against me. I ask my readers, What really serious offence was ever proved against Wood throughout two long trials? Certainly not that he had ever pulled a horse. All that came out

against him was what he confessed himself, viz., that he had broken the rules of the Jockey Club by owning horses when he was forbidden to do so; and he had the honesty to say besides, that from beginning to end I had no knowledge that he did own these horses. No doubt he committed an offence in owning horses when he was expressly told he was not to do so; but what has been his punishment? After it had cost him thousands of pounds to prove that he did not pull Success—and every man who knows anything about racing now fully understands the baselessness of the charge—his licence has been taken away, and he has been virtually warned off the Turf as if he were an ordinary welsher or thief. The written law of England defines a period of punishment for every offence; the unwritten law of the Jockey Club gives life sentences as it chooses!

My lawyer, Mr. Sydney, originally wrote to me about Lord Durham's speech, having heard from a friend that he admitted making accusations against me, and afterwards, out of friendship for me, took my case up professionally; and I shall never forget the feeling he showed on the Saturday night, just after the verdict was published, on my return home, utterly unconscious of what was in store for me. An attempt was made to get up a subscription for Lord Durham as a mark of esteem; but no one can be surprised at the failure of this movement, for what Lord Durham did was to bring as foul a set of charges against an innocent man as was ever drawn up on the sheet charges at the Old Bailey, and this surely was not an excusable proceeding! The subscription was undertaken by Mr. Leo Agar Ellis, a

gentleman with no very special sense of discrimination; for when bound for Newmarket to tout for donations he calmly begged me to let him occupy a seat in my reserved compartment in the Liverpool Street special! I have reason to know that Steel, the head of the bookmakers, when he was asked to contribute to this fund, spoke his mind out about the treatment to which I had been subjected, and utterly declined to have anything to do with it. Most of the other bookmakers, I believe, followed suit, and from that it may be gathered that they did not believe I had conspired with my servants to rob them by pulling horses and such like malpractices. After Mr. Ellis had laboured for a year a meeting was summoned, and the magnificent total of 329*l.* odd, which was intended to recoup Lord Durham for his outlay in defence of Mr. Cox and his own defence in my action against him, was presented to him. He wisely scorned to take it, and has presented it to the Bentinck Benevolent Fund, reserving only for himself in an album the names of the subscribers, about some of which most stringent remarks have been made. It is only fair to say that General Owen Williams, whose name was mentioned amongst them, did not subscribe.

The gossips, scandal-mongers, and luncheon-hunters had a fine time after Lord Durham's speech, and the proceedings that immediately followed it. What a sorry class of men they are! Clinging to the rich friends they toady and make themselves useful to, they drop in with the latest malicious rumour they have picked up. In greeting a friend they have not lately seen, they retail scandal with em-

bellishments of their own, and in return for the news they thus provide, they have the run of their rich friends' table, ride their hunters, shoot their coverts, and sometimes even give themselves airs, and assume the *rôle* that nothing is good enough for them, finding fault with everything that comes in their way. Well, this was the class of men that spread every sort of story about my supposed iniquitous doings on the Turf; all of which stories were carefully repeated to me, more to my amusement than surprise, knowing the sources through which they filtered.

Two individuals, actuated by private spite and their own evil minds, declared that I had been guilty of the most flagrant dishonesty in connection with Fullerton, never backing him when he was beaten, and winning largely when he won. One of these men appeared in court during my cross-examination, and, at the moment that Sir Charles Russell asked me 'Has anyone told you to your face about the supposed suspicious running of your horses?' I was enabled to turn round as I gave my answer, and to face this creature, who speedily left the court, and did not appear there again during the rest of the trial. Their malice had little effect, as it was too palpable, and they were secretly laughed at in the Carlton and Turf Clubs, while the only feeling produced in my mind was that of utter contempt for them and their inventions. The other side, too, asserted that there were all sorts of proofs against me, and I have been told that the best known criminal lawyer in Ely Place was good enough to say that I should never dare come into court! The verdict I had to submit to, unsatisfactory as it was to me, cleared

me of all the spiteful calumnies of my enemies, and the week after its delivery, at the special meeting of the Jockey Club, when my letter was read bowing to the decision of the arbitrators (from which there was no appeal), and asking to be allowed to tender my resignation as a member of the club, Mr. Lowther, the Senior Steward, stated that I had been entirely exonerated from all the serious charges. It is hardly credible, therefore, that within three weeks of this statement, at the Sandown July Meeting, when I happened to be in the Stewards' Stand, set apart for members of the Jockey Club and of the Grand National Hunt Committee (of which latter body I am a member), Lord Durham allowed his malice to carry him so far as to call to Sir Frederick Johnstone, one of the Stewards, and demand what right I had to be there! Although Sir Frederick was not aware that, as a member of the G. N. H. Committee, I had as much right in the stand as anyone else, his answer was characteristic of the true gentleman that he is, 'If you mean by that, that you want me to turn George Chetwynd out of this stand, I will see you d——d first.'

I quote this little episode to show the world with what vindictiveness Lord Durham pursued me, though his action, far from doing me the slightest harm, only recoiled on his own head, and I feel certain I am correct in assuming that not one single other member of the Jockey Club would ever have been capable of such proceedings.

It is on account of this behaviour, and the nature of the verdict, that I have been induced to impose on my readers the complete list of charges that Lord

Durham made against me, together with my examination-in-chief, and my cross-examination, besides the solemn denial of Wood and Sherrard that I had ever been a party to, or had any knowledge of, any of their transactions, whatever they may have been. Comments are unnecessary. Those of my readers who care to read the appendix will be able to form their own conclusion.

Someone told me that the Lord Chief Justice shook his head when he heard that my case was to be submitted to arbitration. How right he was I now know. I paid a bad compliment to my countrymen in refusing to believe that twelve of them, even though ignorant of the thousand little details connected with racing, were quite competent to decide between 'right and wrong,' between 'honesty and dishonesty'! I shall never believe that they would have assigned me merely nominal damages for the wrong I had suffered; but I pledged myself to abide by the decision of the arbitrators, and, whether I like it or not, I have 'got to' submit to it. Even the result, unexpected as it was, was better than having to keep silent for a year and a half under the infamous charges that were advanced.

APPENDIX.

IN THE HIGH COURT OF JUSTICE.

QUEEN'S BENCH DIVISION.

BETWEEN—SIR GEORGE CHETWYND, Bart. PLAINTIFF

AND

THE RIGHT HONOURABLE JOHN GEORGE, EARL OF DURHAM DEFENDANT

PARTICULARS OF JUSTIFICATION.

The following are the Particulars of Justification delivered in pursuance of an Order of Master the Honourable Robert Butler, dated 18th April, 1888 :—

1. The jockey who is therein referred to as suspected or known to be guilty of pulling horses is Charles Wood, who formerly held a riding retainer from the plaintiff as his principal jockey, and who was formerly the principal jockey riding for Sherrard's stables at Newmarket.

2. The well-known racing stable referred to in the same paragraph is the stable occupying premises at Chetwynd House, Newmarket, where racehorses are trained by one R. Sherrard, and in which racehorses either belonging to or running in the names of Lord Lurgan, Sir George Arthur, Mr. H. Hungerford, Mr. E. B. Barnard, Mr. E. Benzon, General Owen Williams, the plaintiff, and the said R. Sherrard were trained.

3. The following horses are those referred to by the defen-

dant as conspicuous throughout the racing season of 1887 for their constant and inexplicable in-and-out running:—

Fullerton,	Acmé,	Never,
Whitefriar,	Helmsley,	Torchlight,
Plantagenet,	Sly,	Cassimere,
Abelard,	Gordon,	Rose Window.
Brighton,	Portnellan,	

The aforesaid horses, during the said racing season of 1887, were not fairly ridden to win the races in which they ran.

4. The plaintiff, upon every occasion when the said horses ran, won large sums of money when they were successful, but lost very small sums of money, or no money at all, when they were beaten. The exact amount of the winnings and losses respectively the defendant has no sufficient knowledge at present.

5. The plaintiff employed the said Charles Wood as his jockey upon the occasions when the said Charles Wood rode for him because he thought that the said Charles Wood was a jockey who could square other jockeys in the races in which he rode.

6. The plaintiff has failed to maintain the fair reputation of the Turf, and he has broken the rules of racing law and the code of honour amongst gentlemen, and has connived at serious malpractices which are contrary to the rules of racing in the following respects:

7. The plaintiff, during the year 1885, was part owner with his jockey, the said Charles Wood, and one Samuel Lewis, whose interest he had not registered with the proper racing authorities, in the following horses:—

Fullerton,	Columbine,	Mint Lozenge,
Vivacious,	Quilt,	Kinfauns,
Oxford Swell,	Zadig,	Forna,
Red Clove,	Goldsmith,	Domino,
Taormina,	Lucebit,	Pampas Grass,
Goldfield,	Kimbolton,	Droitwich,
Giesshubler,	Gay,	Spread Eagle,
Lovely,	Bay Comus,	Reservation,
Spectrum,	Kingwood,	Plantagenet.
Gordon,	Coy,	

8. The plaintiff, during the year 1886, was part owner with his jockey, the said Charles Wood, and the said Samuel Lewis, whose interest he had not registered with the proper racing authorities, in the following horses:—

Giesshubler,	Fullerton,	Zadig,
Vivacious,	Oxford Swell,	Kaunitz,
Spread Eagle,	Macleod,	Mechlin,
Kinfauns,	Kingwood,	Brighton,
Plantagenet,	Stetchworth,	Whitefriar,
Excelsior,	Never,	Spectrum,
Pampas Grass,	Quilt,	Goldsmith.
Gordon,	Mary II.,	

9. The plaintiff, during the year 1887, was part owner with his jockey, the said Charles Wood, and the said Samuel Lewis, whose interest he had not registered with the proper racing authorities, in the following horses:—

Giesshubler,	Fullerton,	Goldsmith,
Plantagenet,	Portnellan,	Gordon,
Brighton,	Never,	Whitefriar,
Kingwood,	Abelard,	Sly,
Dagobert,	King Galop,	Gubat.
Stetchworth,		

10. The plaintiff, during the year 1886, was part owner with one George Baird, who races under the name of Mr. Abington, in several racehorses, in which their joint interest had not been registered with the proper racing authorities.

11. The plaintiff, during the year 1887, was part owner with one George Baird, who races under the name of Mr. Abington, in several racehorses, in which their joint interest had not been registered with the proper racing authorities.

12. The plaintiff, during the year 1885, was cognisant of, and party to, the following horses being entered to run in races in the name of his trainer, R. Sherrard, with the knowledge that the said R. Sherrard was not the owner of the said horses, and that his jockey, the said Charles Wood, was owner or part owner of them:—

The Samaritan,	Perugia,	Victorious Chief,
Oxford Swell,	Yardley,	Bowman.
Malvern,		

18. The plaintiff, during the year 1886, was cognisant of, and party to, the following horses being entered to run in races in the name of his trainer, R. Sherrard, with the knowledge that the said R. Sherrard was not the owner of the said horses, and that his jockey, the said Charles Wood, was owner, or part owner, of them :—

Malvern,	Bay Colt, by King Lud,	Cliftonian,
Commotion,	Bard of Erin,	Allegra.
Martial,	Brownie,	

14. The plaintiff, during the year 1887, was cognisant of, and party to, the following horses being entered to run in races in the name of his trainer, R. Sherrard, with the knowledge that the said R. Sherrard was not the owner of the said horses, and that his jockey, the said Charles Wood, was owner, or part owner, of them :—

Cliftonian,	Cassimere,	Paris II.
Bard of Erin,	Brownie,	

15. In the years 1885, 1886, and 1887 the plaintiff was interested as owner, or part owner, in all the horses running in the names of Lord Lurgan during those years, and failed to register his interest in the said horses with the proper racing authorities.

16. In the year 1887 the plaintiff was cognisant of, and party to, the running of horses in the name of Mr. E. B. Barnard, of which the said Charles Wood was either owner, or part owner, to the plaintiff's knowledge.

17. In the year 1887 the plaintiff was interested as owner or part owner in all the horses running in the name of Mr. Benzon, and failed to register his interest in the said horses with the proper racing authorities.

18. During the year 1886 the plaintiff ran the aforesaid horse Fullerton in the following races :—

30 April ... The Fourth Welter Handicap Plate, at Newmarket.
27 July ... The Stewards' Cup, at Goodwood.
28 July ... The Chesterfield Cup, at Goodwood.

The plaintiff intended that the said horse should not win the said race or any of them, with a view of inducing the handicapper to handicap the said horse on more favourable terms in subse-

quent races, to the prejudice of other owners who were intending to run their horses against the said horse Fullerton.

The plaintiff, upon the occasions aforesaid, did not back the said horse to win, as the said horse was not intended to win the races in which he ran.

19. During the year 1887 the plaintiff ran the said horse Fullerton in the following races:—

23 March	...	The Lincolnshire Handicap, at Lincoln.
7 May	...	The Jubilee Stakes, at Kempton Park.
2 June	...	The Manchester Cup, at Manchester.
3 June	...	The Wilton Plate, at Manchester.
26 July	...	The Stewards' Cup, at Goodwood.
31 August	...	The Glen Plate, at Leicester.
10 October	...	The Trial Plate, at Newmarket.
13 October	...	The Autumn Handicap, at Newmarket.

The plaintiff intended that the said horse should not win the races, or any of them, with a view of inducing the handicapper to handicap the said horse on more favourable terms in subsequent races, to the prejudice of other owners who were intending to run their horses against the said horse Fullerton.

The plaintiff, upon the occasions aforesaid, did not back the said horse to win, as the said horse was not intended to win any of the said races.

20. During the year 1887, the plaintiff also ran the said horse Fullerton in the following races:—

12 April	...	The Crawfurd Plate, at Newmarket.
13 October	...	The Babraham Plate, at Newmarket.
28 October	...	The Select Handicap Plate, at Newmarket.

In consequence of the aforesaid devices of the plaintiff, the said horse Fullerton, by reason of his being handicapped upon terms which were unfair to the other horses which ran in the same races, won the said races.

The plaintiff backed the said horse upon each of the last-named occasions for large sums of money, which he won, the exact amounts of which the defendant has no sufficient knowledge at present; and the said Charles Wood was interested in the said bets, and backed the said horse and won money on his own account.

21. The plaintiff was cognisant of, and party to, the running

of the following horses unfairly and not upon their true merits, and not with a view of winning the races in which they ran, in the year 1884:—

DATE.	HORSE.	RACE.
10 September	... McMahon	... Rufford Abbey Stakes, at Doncaster.
21 October	... Lucebit	... Maiden Plate, at Newmarket.
22 October	... Lovely	... Stand Handicap, at Newmarket.
22 October	... Kinfauns	... Ditch Mile Handicap, at Newmarket.

22. The plaintiff was cognisant of, and party to, the running of the following horses unfairly and not upon their true merits, and not with a view of winning the races in which they ran, in the year 1886:—

DATE.	HORSE.	RACE.
27 July	... Brighton	... Stewards' Cup, at Goodwood.
4 August	... Monsieur de Paris	... Lonsdale Plate, at York.
14 September	... Strathblane	... Fitzwilliam Stakes, at Doncaster.

23. The plaintiff was cognisant of, and party to, the running of the following horses unfairly and not upon their true merits, and not with a view of winning the races in which they ran, in the year 1887:—

DATE.	HORSE.	RACE.
19 April	... Brighton	... Trial Plate, at Epsom.
8 April	... Brighton	... Cadogan Plate, at Newmarket.
5 July	... Abelard	... Maiden Plate, at Newmarket.
20 July	... Rose Window	Knighton Plate, at Leicester.
27 July	... Rose Window	Lavant Stakes, at Goodwood.
29 July	... Gordon	... Chichester Stakes, at Goodwood.
2 August	... Shimmer	... Marine Stakes, at Brighton.
6 September	... Cassimere	... Prince of Wales Nursery, at Doncaster.
9 September	... Cassimere	... Sandown Nursery Plate, at Sandown Park.
9 September	... Acmé	... Sandown Nursery Plate, at Sandown Park.

DATE.	HORSE.	RACE.
13 September	... Torchlight	... Doncaster Welter Plate, at Doncaster.
15 September	... Helmsley	... Rous Plate, at Doncaster.
27 September	... Helmsley	... Maiden Plate, at Sandown Park.
28 September	... Plantagenet	Welter Handicap, at Newmarket.
11 October	... Portnellan	... Ancaster Welter Handicap, at Newmarket.
26 October	... Rose Window	New Nursery Plate Handicap, at Newmarket.
4 November	... Success	... Juvenile Selling Plate, at Lewes.
12 November	... Success	... Racing Selling Plate, at Alexandra Park.
14 November	... Rose Window	Chesterfield Nursery Handicap, at Derby.

24. The plaintiff and the said Charles Wood, knowing that a horse named Never, running in the name of the plaintiff, was lame, and unable to take part in a race on the 24th May, 1887, in the Norbury Selling Plate, at Epsom, allowed the said horse to be taken to the starting-post as if to take part in the said race.

25. During the years 1885, 1886, and 1887, whilst the plaintiff was employing the said Charles Wood as his jockey to ride races, the said Charles Wood had made money advances to, and money payments for and on behalf of, the said plaintiff, and upon terms which were inconsistent with the said plaintiff's independence of action in controlling the said Charles Wood as his jockey.

26. During the years 1885, 1886, and 1887, the said Charles Wood was uniformly interested in the betting operations of the plaintiff, in the betting operations of the said Lord Lurgan, and in the betting operations of the said E B Barnard, made for, and on behalf of, the said plaintiff and the said Charles Wood.

27. The said plaintiff was aware that his jockey, the said Charles Wood, habitually betted upon horseraces.

Delivered this 26th day of April, 1888, by Messrs. Lewis and Lewis, of 10 and 11 Ely Place, Holborn, E.C., Solicitors for the defendant.

Sir GEORGE CHETWYND, sworn, examined by Sir HENRY JAMES, said he was the Plaintiff in this case. He resided near Atherstone, in Warwickshire, and first became connected with racing twenty-one years ago, or twenty years ago, before he was of age, in 1869. He then became an owner of racehorses, and trained with Bloss. Captain Machell was the head of the stable, and Bloss was the trainer. He continued training with Bloss about three years, and then took his horses to Saunders, at Hednesford, about twenty miles from his own place. Afterwards he went to Henry Walcott, of Beckhampton, and when training with Walcott first became acquainted with Charles Wood, the jockey, in 1877, the year his horse Chypre won the Ascot Stakes. Wood rode. Sir George went on to say that he next trained with Joseph Dawson, who died about 1880; and during the time he trained with Joseph Dawson Sherrard was in the stable in the capacity of head travelling man and confidential agent of Mr. Joseph Dawson. After Mr. Joseph Dawson's death, Mrs. Dawson carried on the business of the stables, with Sherrard as head trainer, and he continued in that position until 1882, going then to Nunnery House, where he stayed until 1884, when he went to the house that is called Chetwynd House. At the time Mrs. Dawson had the business, with Sherrard managing, Sir George had horses at Mrs. Dawson's, and took them with Sherrard to Nunnery House. They also followed him to Chetwynd House. Wood rode at first occasionally, and then Sir George became his first master at the Nunnery stables. He then rode for him when he could ride the weight, and when wanted, and he rode for others also, continuing to do so until his licence was suspended at the end of 1887. Other gentlemen trained with Sherrard when he was with Mrs. Dawson. Mr. Crawfurd was the owner of racehorses in the stable, and there were also Mr. T. E. Walker, Mr. W. R. Marshall, Mr. Montgomery, a French gentleman. Lord Suffolk had a horse, Mr. Montgomery had two, Mr. Marshall had three or four, but it was a very small stable. When Sherrard went to Chetwynd House he trained for Lord Lurgan, Sir George Arthur, Mr. H. Hungerford, Mr. E. B. Barnard, Mr. E. Benzon, General Owen Williams, the Plaintiff, and Mr. W. R. Marshall, and Mr. Montgomery.

Sir HENRY JAMES: Now I will direct your attention, Sir George, to this horse Fullerton. When did Fullerton first

become your property?—In 1885—September 1885. I gave 1,500*l.* for him. He only ran once for me in 1885, but several times for Mr. Cannon, of whom I bought the colt. He ran on the 8th October in the Inauguration Nursery Handicap, at Leicester. He started second favourite, and carried 8 st. 12 lb., and was beaten about by twenty lengths.

We have no allegation as to that, but I will ask you the question. Did you back the horse that time, or not?—Yes, I did, I backed him for 165*l.* myself, and for a few friends as well. I personally lost 100*l.* on him.

As far as you are concerned your betting books have been produced?—Yes.

In respect of everything connected with this case there has been full investigation. Everything asked for, I am told, has been furnished to my friend's clients. The extracts are large?—Yes, 400 races.

Do you know whether everything in your books that existed was shown?—Everything we were asked for we showed.

What was your opinion of the horse at the end of 1885?—My opinion was that I had made a great mistake in giving 1,500*l.* for it.

Was there any attempt to get rid of it in the end of 1885?—Yes, I wrote to Sherrard and told him I thought it was a bad purchase, and I should be willing to lose 300*l.* by it. I advertised the horse in the 'Racing Calendar,' and the price was 1,200*l.*

Now I will take you, if you please, to the year 1886—the 30th April, the Fourth Welter Handicap at Newmarket. Before that race, had you learnt from Sherrard what condition the horse was in?—Yes, he was totally unfit.

Why was he run?—Because Sherrard said he could not get the sun on him; he could not get him to sweat.

In consequence of what you learnt from Sherrard, did you communicate with Major Egerton, the handicapper?—I did, I told him I could not allow the horse to run without pointing out to him how utterly unfit he was, and therefore he was to take no notice of his performance.

The charge here is, 'That the Plaintiff intended that the said horse should not win the said races, or any of them, with a view of inducing the handicapper to handicap the horse on

more favourable terms.' Tell me exactly, as far as you recollect, what it was you told Major Egerton.—I went up to Major Egerton in the stand at Newmarket, or rather in the enclosure in front of the stand at Newmarket. I took him near the rails and I said, 'I am running Fullerton this time, but he is totally unfit, and I only do it by Sherrard's advice, who says that a race will excite the horse and make him sweat, which he has never been able to do at home, and it will be an immense help to him to train him.'

The next race referred to is the 27th July, the Stewards' Cup, at Goodwood. It was a race won by Crafton. I have in McCall the statement that Fullerton is quoted nominally at 100 to 1. Did you back Fullerton at all in that race?—Yes, I did; I took 1,000 to 20 about him with Robert Lee, a well-known bookmaker.

Then on the 28th July, the next day, Fullerton ran again in the Chesterfield Cup at Goodwood?—Yes.

Did you back Fullerton on that occasion?—Yes. I took the same bet from Head, who happened to be standing next me.

You backed him to win 1,000*l.*, you say?—Yes, with Head.

Sir CHARLES RUSSELL: My friend is referring to McCall, but we have the 'Racing Calendar.' That is the official record.

Sir HENRY JAMES: But McCall gives more. It gives more horses, and where they finished. Sometimes it gives eight or ten.

Mr. LOWTHER: The 'Calendar' does not profess to be an official record of bets. So far as the state of the odds is concerned you must not take the 'Racing Calendar' as giving an official record.

Sir HENRY JAMES: In addition to the three races that are given in those particulars, did Fullerton run in that year?—No.

So he did not win at all that year?—No.

Now turn to your betting book for the 23rd March, 1887. It is true that the horse did run for the Lincolnshire Handicap?—Yes.

How much did you back the horse for?—427*l.* 10*s.* I lost personally 427*l.* 10*s.* on it.

According to a book I have before me, Fullerton started at 10 to 1, and it is so in the 'Racing Calendar.' The race was won by Oberon, carrying 7 st. 8 lb., and Fullerton carried 7 st.

10 lb. Give me again, if you please, the exact sum you backed the horse for, first in gross, and then how much you kept for yourself.—I backed the horse for 742*l.* 10*s.* altogether, 215*l.* for friends.

And you made one hedging bet?—Yes; I telegraphed down to Robert Lee the day before the race to ask him to lay the odds to 100*l.* against Fullerton. I limited him to a price, and he laid me 600 to 100.

The Arbitrators see the price you got for it, 10,495*l.* to 742*l.*, so that it was a good hedging bet?—I took the bet for the purpose of hedging.

The charge in this particular states, 'The Plaintiff upon the occasions mentioned there did not back the said horse to win, as the horse was not intended to win any of the said races.' Were those bets which you have mentioned *bonâ-fide* bets in the hope the horse would win?—Certainly.

As far as the horse could win did you intend it to win?—Certainly.

Did you back any other horse for any larger amount?—No. I backed a horse called St. George for 30*l.* and another one for 20*l.*, Harpenden, who did not run.

Now I pass on to the Jubilee Stakes at Kempton Park. What did you back the horse for?—I backed him for 200*l.*

What were the odds that you got?—On the Friday, the Second Spring Meeting at Newmarket, Robert Lee laid me 1,000 to 60 against Fullerton, and after that F. Brewer took for me 2,000 to 140, making 200*l.* which I had on the horse. So that it was 3,000*l.* to 200*l.* It was all for myself.

Now come to the 2nd June, 1887, the Manchester Cup. Fullerton ran again?—Yes.

What did you back Fullerton for then?—Over 1,000*l.*

What odds did you get?—9,000 to 1,000, of which 675*l.* was my own.

Did you lose that amount in consequence of Fullerton's losing?—I did. The actual loss on the race was 525*l.*, but the sum I lost on Fullerton himself was 675*l.*

Did you back another horse to win?—Yes, the winner, Carlton, for a small sum. I had 25*l.* on Carlton, a horse of the Duke of Beaufort's.

But, as far as Fullerton is concerned, you lost 675*l.*?—Yes.

He again was, of course, the best horse for you in the race?—Yes.

The next day, the 3rd June, you started him for the Wilton Plate at Manchester, won by a horse called King Monmouth?—Yes.

Notwithstanding King Monmouth won, they laid 15 to 8 on Fullerton?—Yes.

What bet did you make upon that?—I lost myself 1,010*l.* upon him.

The odds were 15 to 8 on Fullerton. Speaking with all respect to the other horses, did you believe the horse would win when you laid those odds on him?—Yes, I did.

He started with the odds against him the day before when running for the Cup?—He had beaten King Monmouth several lengths in the Manchester Cup. Fullerton was fourth, and King Monmouth eighth in that race.

Did you honestly believe, looking at King Monmouth's running, that he would win the race?—Yes.

What is Fullerton's best distance?—A mile.

And the Wilton Plate was a mile?—Yes.

What was the distance of the Cup that Carlton won?—A mile and three-quarters—a mile and six furlongs.

Again I must ask you, Sir George, did you honestly believe that the horse would win when you backed him and lost 1,010*l.*?—I did.

Now I will come to the Stewards' Cup at Goodwood, on the 26th July. That was a very large field, I see. Fullerton started second favourite. Did you back the horse on that occasion?—Yes, for 190*l.*; 175*l.* of which was for myself.

Now go to the next in the list, the Glen Plate, at Leicester, on the 31st August.—I was not present myself, but Brewer put me 200*l.* on him.

Anyhow, you had to pay?—Anyhow, I had to pay 200*l.* I have no knowledge whether he put it on starting price or on the course, but he put it on. Bessie won, carrying 6 st. 6 lb.; Fullerton carried 9 st., and was fourth.

So that he was giving the winner considerable weight?—Yes; 2 st. 8 lb.

The two last in the list are the Newmarket Meeting in October. The first is the Trial Plate, on the 10th October. What bets had you on that race?—350*l.*

Who made the bet?—Lord Lurgan did it for me.

Rada won. She afterwards ran second in the Oaks, I believe?—Yes, and beat Orbit in a big race at Ascot.

And you lost 350*l.* by the horse losing?—Yes.

Now, the last in the list is the Autumn Handicap, at Newmarket, on October 13th. That would be the same meeting. It was won by Lal Brough, carrying 6 st. 2 lb., Fullerton carrying 9 st. 2 lb. What money had you on the horse for that race?—250*l.*

Did you back any other horse in that race?—Yes, I took 100*l.* to 25*l.* about the Braw Lass, and 100*l.* to 20*l.* about Lal Brough.

But still Fullerton was your best horse, considerably?—Yes, I lost 250*l.*, on that race.

Now, those are the races in 1877 that the horse lost. Give me now the races he won. There was the Crawfurd Plate, on the 12th April, at Newmarket. What did you back the horse for?—For 250*l.*

Then on the 13th April, the Babraham Plate, at Newmarket. What did you back the horse for on that occasion?—I backed him for 250*l.*—450*l.* to 250*l.* Then I had 80*l.* on Oberon, the second, so I won on the race 370*l.*

I see that the Babraham Plate, that Fullerton won, was one mile—the Rowley Mile?—Yes, the Rowley Mile.

The Crawfurd Plate is under a mile—6 furlongs?—Yes.

Then the last is the 28th October, the Select Handicap Plate at Newmarket. That again was the same course as the Babraham Plate—the Rowley Mile?—Yes.

What did you back the horse for on that occasion?—150*l.*—133*l.* for myself—and won 495*l.* on the race.

I want you to give the Arbitrators the summary for Fullerton in 1887. Can you tell me, Sir George, whether this is correct? Did you back the horse for 3,287*l.* when he lost?—Yes.

And did you back the horse for 570*l.* when he won?—Yes.

Having backed him for 3,287*l.* you lost that amount?—Yes.

Did the 570*l.*, the amount you backed him for when he won, produce the amount of 2,190*l.*?—Yes.

So that on Fullerton, in 1887, you lost 1,097*l.*, or nearly 1,100*l.*?—That is correct.

I will now refer to paragraph 3. You recollect that the names of fourteen horses are given. I do not know whether it is necessary to go through all these horses and the bets, but I will take it as shortly as I can.

Sir CHARLES RUSSELL: If my friend appeals to me, as far as I am concerned I will call attention in my cross-examination to the matters which I think material, and my friend will have an opportunity of re-examining upon it. He is entitled, of course, to go through all of these if he pleases; but a great deal of it I shall not trouble the Court with at all.

Sir HENRY JAMES: I am obliged to my friend for that concession. It will shorten what I have to ask with regard to these horses. Acmé, Helmsley, Torchlight, Cassimere, and Rose Window did not belong to you?—No.

Were those five horses in Sherrard's stable?—Yes. Acmé is Lord Lurgan's, Helmsley belonged to Mr. Hungerford, Torchlight to Lord Lurgan, Cassimere was Sherrard's own, and Rose Window Sir George Arthur's.

I will take this very shortly. Without going through the details of the races, can you give me (if not, you will prepare it by to-morrow morning) the result of your backing of Whitefriar in 1887. It has been taken by some one as 755*l.* 1*s.*?—I won 755*l.* on him.

Then Plantagenet?—I won 1,282*l.* 10*s.*

Abelard?—I won 25*l.*

What did you do with Brighton?—On Brighton I lost 45*l.*

With Sly you lost 480*l.*?—Yes.

On Gordon you won 185*l.*?—I won 135*l.*

Then Portnellan?—I lost 1,085*l.*

On Never I believe you lost 256*l.*?—Yes.

I do not know whether you have added up the result. Your loss, including Fullerton, comes to 2,898*l.* What is the total loss on all these horses?—701*l.*

You can, of course, make out your bets on those horses?—Oh, certainly. It is a loss, I know.

I need scarcely ask you. You are prepared to answer any question Sir Charles Russell may put to you about them?—Certainly.

I must go back a little in point of date, to the year 1884. The first is M'Mahon, the Rufford Abbey Stakes, at Doncaster, on

September 10th. Did that horse M'Mahon belong to you in 1884?—Yes.

Did he run for you at Derby on September 6th?—Yes, two or three days before. He ran badly, and was last but one in the race.

He went on to Doncaster on September 10th. Did you enter him again in the Rufford Abbey Stakes?—Yes.

Why was that?—I was going to enter him in a selling race, and Wood told me he would not be good enough to win it, so I entered him in this.

Had you another horse in that race?—Yes, Columbine. I had 475*l.* on her; 500*l.* was put on her altogether. I thought she was sure to win the race.

Taking the three next that are mentioned, they all occur at the Second October Meeting at Newmarket?—Yes.

What do you know about those horses? In the first place, are the last three yours?—Yes, they are all mine; at least, one half is somebody else's; half of Kinfauns belonged to Sir George Arthur.

Did you back those horses?—Yes, I backed Lovely for a small sum, to win 300*l.* Goater rode the horse.

As far as you are concerned did you have anything to do with those horses not running on their merits to win?—Certainly not. I gave distinct orders about them—that they had been slightly amiss, he was to do his best to win, but if he found he could not possibly win he need not abuse them. They had been coughing. In all the three races I gave my jockey, Wood, up to ride other people's horses, and told my trainer to get the best jockey he could.

Beyond what you have told us, did you give any instructions to Goater?—None at all. I gave him his orders when he got on the horse in the Birdcage.

Now I will go to July 22nd, Brighton, in the Stewards' Cup at Goodwood. Whose horse was Brighton?—Mr. Hungerford's. I had nothing to do with the horse. Goater rode it, I afterwards found out, but I do not know anything at all about its running, and I did not notice him.

Did you, directly or indirectly, have any cognisance of anything improper taking place in relation to that horse?—Not at all.

Then in respect to the second horse on the list, Monsieur de Paris, on the 4th August, in the Lonsdale Plate at York, whose horse was that?—Mr. Hungerford's.

Did you back it?—Yes, I took three against the field for 125*l.*, and lost it.

Then take the third horse mentioned, Strathblane, in the Fitz-William Stakes at Doncaster. To whom did that belong?—Mr. Hammond.

Had you anything to do with that horse?—Nothing.

As to the selections of the jockey or anything?—Nothing.

You had no bet, I believe?—I backed another animal in the race.

I see Strathblane started at 7 to 1, and was beaten by Lucerne?—Yes.

The charge is that you were cognisant of that horse, Strathblane, not running upon its true merits, and not with a view of winning the races. Have you any cognisance of anything of the kind?—Absolutely none.

I suppose Mr. Hammond was known to you, and Waugh the trainer is pretty well known?—Yes.

Now I come to Brighton, on the 19th April, in the Trial Plate at Epsom. To whom did that horse belong?—To me and to Mr. Baird—half each.

Did you back that horse?—I did, for 180*l.*, and lost.

Then the next is the 28th April, Brighton in the Cadogan Plate at Newmarket. It is said that this horse was run unfairly, and not with a view of winning the race, but somehow or other it did win?—Yes, in a canter.

You backed it for 180*l.* on the 19th April, and it lost?—Yes.

Did you back it again on the 28th?—Yes, for 300*l.* even money.

Now, Abelard, on the 5th July, in the Maiden Plate at Newmarket. Whose was that?—Half mine and half Mr. Baird's—the same partnership. I had no bet on the race. It lost.

Then the next is Rose Window; whose was that?—Sir George Arthur's.

As far as you are concerned, have you any interest in it?—I have no earthly interest in it. I tried the horse before it went to this race, at Leicester; it was tried with some of my horses. He was a very moderate horse, and I did not back him.

Was he under Sir George Arthur's directions or yours?—Under Sir George Arthur's directions.

Then, 29th July, Gordon, the Chichester Stakes at Goodwood. Whose horse was that?—Mine.

Did you back that horse?—No, I did not. I thought he had no chance. Sherrard told me he had been very much shaken by the hard ground, and advised me not to back it.

Then, August 2nd, Shimmer, the Marine Stakes at Brighton. Whose horse is that?—General Owen Williams's.

Had you anything to do with that horse?—No. I did not know it had run.

Then the next is Cassimere, on September 6th and September 9th. One race is the Prince of Wales' Nursery, at Doncaster, and the other the Sandown Nursery Plate, at Sandown Park. Whose horse was that?—Sherrard's.

Had you anything to do with it?—No, nothing.

Did you back the horse for the Prince of Wales' Nursery at Doncaster?—I did not.

Had you any bet at Sandown?—That is on September 9th. I was not in England at the time.

Where were you?—I was travelling in Scotland. I was on the railway at that time in Scotland—on that day.

Had you anything to do with the horse at all?—Nothing on earth. I did not know it was going to run.

Then Acmé?—That is the same day. I was away. My answer is the same.

Then we get back to Doncaster, on September 13th—Torchlight, whose horse is that?—Lord Lurgan's.

Had you anything whatever to do with its running?—Nothing.

Then September 15th, Helmsley, in the Rous Plate, at Doncaster—to whom did that belong?—I do not know who it belonged to then, and I did not even know it ran.

Then the 27th September, the same horse, Helmsley, ran at Sandown Park. Had you anything to do with that?—No.

Then, September 28th, Plantagenet, whose horse is that?—Mine.

That ran in the Welter Handicap at Newmarket—who rode that horse?—Weldon. I had no bet on the race, because there was another horse, Torchlight, running in the same race, which I knew was certain to beat it, and in the same stable.

Did you back that horse ?—No, I had no bet.

Then, October 11th, Portnellan, in the Ancaster Welter Handicap, at Newmarket. Was he yours at that time ?—No, I had sold him some months before. He was claimed by auction in a selling race. He was second in a selling race, and a friend of mine came and asked if I minded his claiming it in a friendly way for Martin, the trainer ; and I said, 'With pleasure.' I was only too glad to get rid of it.

That was the 13th June ?—Yes, at Windsor.

On the 11th October had you anything to do with the horse ? —Nothing on earth.

It was not in Sherrard's stable ?—No.

Now we come back to Rose Window, Sir George Arthur's horse, that ran on the 26th October, in the New Nursery Plate Handicap, at Newmarket. Had you anything to do with that ? —Nothing.

Then on the 4th and 12th November, Success ran at Lewes and at Alexandra Park. Success belonged to General Owen Williams ?—Yes.

Was it trained in Sherrard's stable ?—No.

Had you anything whatever to do with Success being entered, or running, or anything ?—No, nothing whatever. I was not there.

I suppose the same answer applies to Rose Window on the 14th November ?—Yes.

Now, is there one word of truth in the suggestion that you were cognisant of, and party to, the running of those horses unfairly, and not upon their true merits, and not with a view of winning the races ? Is there one word of truth with respect to them or any one of them ?—Not one word of truth.

Now I will come back to paragraph 7. The charge there is that during the year 1885 you were part owner with Wood and Samuel Lewis, whose interest you had not registered with the proper racing authorities, in the following horses ; and then there comes the list. Now, had Wood any interest whatever in any one of those horses ?—Not any interest whatever. He never had.

In July 1885, did you purchase three horses in Mr. Chaplin's sale—the Blankney sale ?—Yes—Gordon, Quilt, and Sad.

Had Mr. Lewis a share in these horses ?—Yes, half.

Did you purchase them for 2,052*l.* 10*s.*, the half of which would be 1,026*l.* 5*s.* ?—Yes, and in October 1884 purchased from Mr. Lewis his moiety for 1,100*l.* The sum was paid to Mr. Lewis through Messrs. Weatherby.

In 1884, when there was the partnership interest in those horses, did you as a fact register it at Messrs. Weatherby's ?—Yes.

And there it is on the register ?—Yes.

In the list there is a mare called Gay ? That is said to have been Charles Wood's, Samuel Lewis's, and yours. Had Wood or Lewis any interest in it at all ?—None whatever.

Now I will go to paragraph 8. Did any one of the horses mentioned in paragraph 8 ever belong to Wood or Lewis, in whole or in part ?—Never.

You never had any share with Wood and Lewis in them ?—Never; and this answer applies to the horses mentioned in paragraph 9.

Then go to paragraph 10. It is alleged that 'The Plaintiff during the year 1886 was part owner with one George Baird, who races under the name of Mr. Abington, in several race-horses in which their joint interest had not been registered with the proper racing authorities.' What horses had you with Mr. Baird in the year 1886 ?—Brighton and Whitefriar; these were the only two, and they are registered as our joint property. In addition to those, in 1887 we had Abelard and Shy; there were no more, and they were all registered.

Then, in paragraph 12, it is alleged that you were cognisant of, and party to, the seven horses being entered to run in races in the name of the trainer, Sherrard, with the knowledge that Sherrard was not the owner of the horses, and that Charles Wood was owner or part owner of them. Did you ever know anything of the kind ?—I never knew anything of the kind.

As far as you knew or know, had Wood any interest in those horses ?—I never knew he had any interest in those horses, and do not believe he had.

As to Oxford Swell, did you, together with Lord Lurgan, purchase that horse from Sherrard for 300*l.* ?—Yes, in October 1885.

Then the same allegation is made with respect to the years 1886 and 1887, and in regard to the different horses mentioned,

seven in 1886 and five in 1887 are said to have belonged really to Wood, but run by Sherrard. Had you any knowledge of any ownership of Wood in those twelve horses?—No, none.

Then comes paragraph 15: 'In the years 1885, 1886, and 1887 the Plaintiff was interested as owner, or part owner, in all the horses running in the name of Lord Lurgan during those years, and failed to register his interest in the said horses with the proper authorities.' With the exception of Oxford Swell, had you in those years any interest in Lord Lurgan's horses?—None at all.

Was Oxford Swell registered in partnership?—Yes.

Then paragraph 16 charges you with being cognisant of, and party to, the running of horses in the name of Mr. E. B. Barnard, of which Wood was either owner or part owner. Have you any cognisance of any such fact, and do you believe it?—I have no cognisance, and I do not believe it.

Then paragraph 17 says that Plaintiff was interested as owner or part owner in all the horses running in the name of Mr. Benzon, and failed to register his interest in the horses. Were you part owner, or had you any interest by way of ownership in those horses?—None whatever.

Now I will go to paragraph 24. You were at Epsom in May 1887?—Yes.

Had you a horse at that time called Never?—Yes. I sent it to Epsom for the purpose of running in the Norbury Selling Plate, and backed it for about 600*l.*, I think.

Did it come to Epsom from Sherrard's, at Newmarket, in the charge of young Sherrard?—Yes.

Did you see the horse?—I saw him coming down with the jockey on him—not before.

Had you any knowledge whatever of that horse being lame before it went to the post?—Not the slightest. It did not trot lame when it passed in front of the stand.

Young Sherrard would know where to find you, I suppose?—Yes.

Had you any communication either from Newmarket or from the young man in charge that the horse was lame in any way?—None at all.

You do not know what took place at the post, but did you see the horse coming back?—Yes, and I ran down to it in the

course. I then saw it was lame. I was most anxious to find whether I lost my money.

Had it, in the sense of going to the post, so that you lost your money, come into the hands of the starter ?—No.

You inquired as to that ?—Yes ; I inquired directly I saw Wood ; it had not been under the starter's orders. The late Mr. Manning, the veterinary surgeon, examined it, and he found a small splint about the size of a pea—quite a small thing, and he said no doubt the horse had struck himself and was sore on it. It was sent back to Newmarket and attended to by Mr. Bell ; the splint was removed, and the horse got round.

Had you any interest whatever in doing what is alleged here—in allowing the horse to be taken to the starting post, 'as if to take part in the said race' ?—Most certainly not.

Have you any explanation to give of the meaning of this charge ?—I should think the meaning was that I sent one for the purpose of committing a fraud—that I sent a horse to the post when he was lame and backed him for about 10,000*l*., taking care he did not get under the starter's hands, and backed another horse in the race.

Were you backing another horse in the race ?—I had 40*l*. on Propriety also. Lord Lurgan came to me and said, 'I think the only dangerous one is Propriety,' and I said I would have 40*l*. on him. I had, and got 5 to 2, I think, about the others.

From time to time when you had bets Wood had a portion of those bets. Of course you were aware of that rule we have referred to in the 'Racing Calendar' of December 27th, 1883, which states : 'It having been represented to the Stewards of the Jockey Club that many jockeys are in the habit of betting largely on horse-racing, the Stewards hereby give notice that such practice will not be tolerated in future.' Of course the Arbitrators will be aware of it ; but, Sir George, is there any other rule but that that you know of with respect to betting ?—There has been another rule since.

Rightly or wrongly, when Wood was riding for you and you had backed the horse which he was riding, Wood had some portion of the betting ?—Yes, I have put him on small sums.

Have you ever made bets for Wood or given him any portion in bets which would cause him to have an interest that the horse he was riding should lose ?—Never in my life.

There is your betting book to speak for itself?—Yes.

Would those bets give him more interest in winning?—Yes, I think they would make him more anxious to win.

Did you, when you made these bets for Wood, make that record in your book?—Yes.

By your making a bet he would not have to go to the betting man himself?—Exactly, that is the reason I made it.

As far as the entry is concerned, did you make any secret at all that the betting was taking place?—Not at all; quite the contrary.

Was Wood paid direct by you or by Brewer?—By Brewer.

Have you mentioned the circumstance from time to time?—Yes, I have. I have often told the Stewards of the Jockey Club—I believe Lord March was one of them at the time—that I did bet for Wood in small sums.

Have you told others?—Yes, I never made the least secret of it; I thought I was complying with the spirit of the rule.

Have you got yourself any statement, so that you can give it, of the amount in any year that you have made of bets for Wood?—Yes, I have had it all made out.

I want it from you if you can give it?—I have been through it; it is my statement in fact.

Your bets for Wood go as low as 5*l.*, and the highest, I think, as 50*l.*?—Yes.

Did you ever make a bet for him which would give him an interest in not winning on the horse he was riding?—No, never.

Does your betting book show all bets or most of your bets for Wood?—Every bet I have made for him.

Those betting books have been disclosed to the Defendant's advisers?—Yes.

Sir CHARLES RUSSELL: Certain entries.

Sir HENRY JAMES: Sir Charles Russell is under the impression that we selected the entries. Everything that was asked for in your betting books was shown?—Yes.

That was not your selection?—Not the least.

But selected by the Defendant's advisers. Every entry which was asked for by the Defendant's advisers, have copies been taken of them?—Yes, hundreds of races.

Here is one paragraph I have almost omitted, but which I am

reminded of. It is paragraph 5: 'The Plaintiff employed the said Charles Wood as his jockey upon the occasions when the said Charles Wood rode for him, because he thought that the said Charles Wood was a jockey who could square other jockeys in the races in which he rode.' You told us when you began to employ Charles Wood he was a young man then?—Yes.

Had you any knowledge of his ever squaring other jockeys?—No, never.

Did you ever request him to do so, know of his doing so, or wish him to do so?—Never.

We now come to the transaction with respect to the purchase of Portnellan by Charles Wood. To what extent was authority given to him?—If he found a horse of mine amiss he would take it on himself not to run the horse if I was not present, or if a horse was in two races, and he thought he might win one race and not win the other, that he was to run him in the one he thought he would win, if he was engaged the same day, and he had power to buy in any horse as long as he saw a horse that he thought would do for me, if it was not a large sum; and he has bought many horses for me.

The charge against you is made that 'During the years 1885, 1886, and 1887, whilst the Plaintiff was employing the said Charles Wood as his jockey to ride races, the said Charles Wood had made money advances to and money payments for and on behalf of the said Plaintiff, and upon terms which were inconsistent with the said Plaintiff's independence of action in controlling the said Charles Wood as his jockey.' With one exception, did Wood ever lend you any money, or ever make any advance for you?—Never.

Did Wood on one occasion purchase a horse called Portnellan, or direct it to be purchased?—Yes, at Derby, in November 1886. I was not present.

When did you first learn that he had bought the horse?—The next day, at Northampton.

What was your pecuniary position at that time as regards your balance at your bankers'; was it in a good condition or not?—I had no balance at my bankers'. I could not write a cheque even. I did not write a cheque for six months, I suppose.

You have an income dependent on your agricultural estate?—Yes.

Did you tell Wood your position?—Yes, I told him I had no money.

What did Wood say or do?—Wood offered to lend it to me, and he sent me a cheque two or three days afterwards. Meanwhile, I had paid for the horse at Weatherby's. I had only 300*l.* at Weatherby's at the time. Weatherby's, of course, had paid for the horse.

That same sum, 315*l.*, for which Portnellan had been purchased, which you had to pay to Weatherby's, was that sum sent in a cheque from Wood to you?—Sent by a cheque from Wood to me.

Is that the only transaction that ever took place of money advanced or payment between you and Wood?—Yes.

Did you give your commissioner, Mr. Frederick Brewer, directions to repay it?—Yes.

Under what conditions was he to pay it as to your account?—No particular conditions. I told him that I wanted to send Wood 300*l.* and Sherrard 300*l.*, both of them.

I do not see any particulars about it, but I may as well ask about it. You became acquainted, I believe, with the rule that the Stewards of the Jockey Club gave notice in December 1883, that for the future licences would only be granted to jockeys on condition that they were not owners, or part owners, of any race-horses. Leave would be given to one or two jockeys to own one or more horses. That appears in the Calendar of December 27th, 1883. Of course you knew that Wood, before that rule came into existence, owned certain horses?—Yes.

I think some of them were Arbaces, Columbine, Alucho, Vol-au-Vent, Moncrieffe, and Petit Duc. Did Wood first apply to you to become the lessee of those horses, to lease them?—Yes, he had written to Messrs. Weatherby on the subject.

Sir HENRY JAMES: Mr. Weatherby, do you produce any letter of December 29th, from Mr. Wood to you? (The same was produced.) This is the letter produced by Mr. Edward Weatherby from Charles Wood to Messrs. Weatherby:—'December 29th, 1883. Gentlemen,—In reference to the new rule passed by the Stewards of the Jockey Club to prohibit jockeys from keeping racehorses, I beg to say that it is not my intention in any way to infringe that rule, and if you will kindly convey this to the Stewards of the Jockey Club I should feel much

obliged to you. As you know, I had a few horses in training, but I had no other reason for buying those horses except one, which was to give Mr. Sherrard, with whom I have long been connected, some little support in his business, because I know from long experience that he is worthy of it. It is therefore, in the first place, my intention to offer the horses I have to Sir George Chetwynd, he being my first master; should Sir George Chetwynd not care to take them, they shall be sold by auction in the usual way. I am desirous that the Stewards should not think that I keep horses in training for the purpose of gambling.—I am, gentlemen, yours obediently, Charles Wood.' Then the next letter is, I think, December 30th, 1883, from Wood to Sir George Chetwynd:—'Sir,—I see in the Calendar that jockeys are not allowed to keep racehorses, and it is not my wish to break the rules. I have written to Mr. Weatherby to that effect. I have enclosed a copy of the letter to you, but if they will allow me, I should like to lease them to you for their racing career on any terms you like. I would sooner give them to you for their racing career than let them be sold, as I know there are two or three useful ones. I should like to do as you wish, as I know you would advise me to do what is right. You will see by Ruff's Guide I have put the yearlings in a lot of engagements. Arbaces and Columbine (late Trot) I have not entered them at present. Half Wolseley belongs to me, but Mr. Sherrard is going to buy my half off me. The only reason I had of keeping racehorses was to help Mr. Sherrard in his business, as I never bet heavily myself. Wishing you, Sir George, the compliments of the season, your obedient servant, Charles Wood.' Then Mr. Sydney has got from Mr. Wood a letter from Sir George Chetwynd of January 14th.

Do you recollect whether, after Wood wrote again, you went to Lord Cadogan or any one and asked about it?—There is no doubt I did, or Wood did. We made a proposition about my leasing the horses from Wood.

I think my client and Sir Charles are right about the date of that. Do you recollect whether you or Wood went to Lord Cadogan?—No, I did not go to him. I was at Grendon all the time, in the country. I might have written to him.

This letter begins, 'Lord Cadogan says of course you will be

granted a licence provided you do not own or share any race-horses.'—No doubt Lord Cadogan wrote to me.

Had you, as far as you recollect, consulted Lord Cadogan on the subject by letter?—Yes, I am sure I did.

'And as it would not look well your waiting for your licence you had better do as you say, and lease the horses to me on the usual terms, I suppose, I to pay for everything as long as I have them and give you half the stakes they win. If I have to put them in selling races an understanding will be come to with you beforehand. I am referring to the horses at Sherrard's, of course. I can see that all jockeys will have to be very particular in their behaviour this year, as the Stewards will be very strict, and it is chiefly thanks to the men who have sprung up, who get a living by touting what jockeys think about a race that is going to take place, and then go off and tell all their friends. They keep one or two horses to be called owners, and are the greatest pests the turf has, as they are thieves themselves, and if everything does not come off as they wish they accuse people at once of dishonesty. I hope our young ones are going on well.' Are those the young ones in Sherrard's stable?—Yes.

'Believe me, yours truly, George Chetwynd.' Now, January 15th, there is a letter from Wood to you, Sir George Chetwynd. 'In reply to your letter I beg to say I am quite satisfied with the arrangement in reference to my horses. You suggest therein you may now consider them your property. I most sincerely hope you may be fortunate with them, for I am sure they are a useful lot, viz., b.f. Columbine, late Trot, 3 years old; b.c. Arbaces, 3 years old; b.f. Alucha, 2 years, ch. f. Vol-au-Vent, 2 years; b.c. Moncrieffe, 2 years; ch. c. Petit Duc, 2 years; and I am sure, Sir George, they are all I own. I remain your obedient servant.' Then the next letter I have is a letter from Wood of February 7th to you: 'Sir George,—I have enclosed the letter which I received from Messrs. Weatherby this morning. I am sorry they will not allow me to lease the horses to you. Will you please, Sir George, tell me what I had better do? Had I better advertise them for sale in the Calendar, and let Mr. Tattersall sell them? They are a nice lot. I should have liked for you to have had them.' Wood says in this letter: 'I have enclosed the letter which I received from Messrs. Weatherby. I am sorry they will not allow me to lease the horses to you.'

You also received a letter of February 7th from The Nunnery, from Sherrard, on this subject: 'Sir George, I beg to say Wood, in consequence of having received a letter from Messrs. Weatherby this morning in reference to his jockey's licence to ride being refused while he remains part owner of any race-horses in training has caused him much anxiety. He of course thought, having leased the horses to you, that it would be sufficient and all that the Stewards would require, but it appears from the letter he received this morning that the Stewards cannot grant him a licence under these circumstances; but what is to be done in the matter I cannot say. Of course they are no doubt a very useful lot of horses, and Wood, like myself, would be very sorry to lose them, or in other words be obliged to sell them out of the stable. Wood says that he would much rather make you a present of the whole lot sooner than allow them to go out of the stable, but of course I told Wood this morning that he had by far better write and enclose Mr. Weatherby's letter to you for your advice in the matter, and act just as you advise him to act. It appears the Stewards of the Jockey Club will not allow the least infringement of their new rule, therefore it becomes a question what is really to be done in the matter, and I am sure that no one better than yourself, Sir George, can advise and help him out of this difficulty, and therefore my advice to Wood is to place himself entirely in your hands, and do as you wish him in every particular.' Then there is a telegram from Sir George Chetwynd directed to Wood, February 8th, 1884. 'You and Sherrard value the horses and send me result; if I cannot manage to buy them, see no alternative but Tattersall's.' Then there is a letter from Sir George Chetwynd to Wood. 'Grendon Hall, Friday.—I return you Messrs. Weatherby's letter. I think the Stewards are very hard on you in not allowing the horses to be leased, as it means that a jockey may not keep a brood mare and lease her produce even, and I shall tell them so when I see them. You could keep the horses by being made part trainer with Sherrard, but that probably won't suit you, and the best plan will be, if I can manage it, to buy them outright from you, though it is very difficult to determine the value of two-year-olds at this time of year. I shall consider your letter to-morrow and will reply to it at once. Of course, all the jockeys who are not actually trainers are in the same boat as yourself, so you

mustn't take it that the rule is only made for you; and perhaps they couldn't have made an exception in your case, even if they wished to at my representation. When I see the Stewards I shall explain the whole matter to them and the reason you bought the horses.'

SECOND DAY

Now we will follow on from where we stopped last night, and I think we had reached February 1884, which was a telegram: 'You and Sherrard value the horses, and send me the result. If I cannot manage to buy them, see no alternative but Tattersall's.'—Yes.

Then there was a letter from you to Wood from Grendon Hall: 'I return you Messrs. Weatherby's letter. I think the Stewards are very hard on you in not allowing the horses to be leased, as it means that a jockey may not keep a brood mare and lease her produce even, and I shall tell them so when I see them. You could keep the horses by being made part trainer with Sherrard, but that probably won't suit you, and the best plan will be, if I can manage it, to buy them outright from you, though it is very difficult to determine the value of two-year-olds at this time of year. I shall consider your letter to-morrow, and will reply to it at once; of course, all the jockeys who are not actually trainers are in the same boat as yourself, so you mustn't take it that the rule is only meant for you, and perhaps they couldn't have made an exception in your case even if they wished to at my representation.' Then we come to a letter of February 8th, 1884: 'Suffolk House, Newmarket.—Sir George,—I beg to say that I have received your message in reference to the horses belonging to me. Mr. Sherrard and I valued them at a price we think very far below their value, but under the circumstances it is perhaps best that you should buy them outright. So far as the money is concerned, why, pay for them when they win it for you. If they don't turn out well I should, of course, take nothing at all for them. Will you please send me a letter that I may send to the Stewards of the Jockey Club to say that you have bought them of me. I remain, Sir George, your obedient servant, Charles Wood.' Then comes a memorandum at the end of the letter:

'Feb. 7, 1884. Arbaces, 500*l.*; Columbine, 500*l.*; Moncrieffe, 500*l.*; Alucha, 400*l.*; Vol-au-Vent, 300*l.*; Petit Duc, 100*l.*' These were two-year-olds, were they not?—Except Arbaces and Columbine.

Was that a high price or a low price for them?—A high price, decidedly.

Then there is a letter from Sherrard to you from The Nunnery: 'Sir George,—I beg to say that Wood showed me the telegram he received from you to-day in reference to his horses, and so he asked me to value them, which I did, at a price I thought fair between you and him, but which I think, and Wood thinks also, far below their value. Still, under the circumstances, it is, I am sure, the very best thing that could be done, and as Wood, of course, like myself, would a thousand times rather that you should have them than anyone else, or that they should be sold. Arbaces at 500*l.* cannot be considered dear; Columbine, late Trot, at 500*l.* also cannot be anything like her real value, and I think she is worth 1,000*l.*; Moncrieffe at 500*l.* is cheap, and may make a racehorse of high class, as all out of his dam, Maid of Perth, Glen Albyn's dam; and Alucha is a nice filly, and cheap at 400*l.*, as is also Vol-au-Vent at 300*l.*, and Petit Duc is cheap at 100*l.*, and you can put him into a selling race at any time, for he is now very nearly fit to run. Vol-au-Vent will be ready to meet her engagements at Liverpool Spring if you want her. Arbaces and Columbine you can have almost when you wish to run them, but the latter, I think, it would be best not to be in too great a hurry with her; she is a very fine filly indeed. Moncrieffe and Alucha will be more backward, particularly the former. We have requested Mr. Manning to forward to you by this night's post the plans of the new stables we are about to build, for your inspection and approval.' Did you reply to that letter of Sherrard's, because we have no answer to it?—I do not know, I am sure.

I have this letter that you wrote to Wood: 'Dear Sir,—I am quite sensible of your wish that I should lose nothing by the horses, and if I take them I propose accepting the terms you suggest in your letter in a friendly way—viz., that if they turn out badly we shall not stick to the price agreed on now, 2,300*l.*, but arrange between us and Sherrard what will be fair for both parties. This arrangement in a friendly way has nothing to do

with anyone else, and no one need know it. You sell me the horses for 2,300*l.* with their engagements, and they become my property now. It is nothing to anybody else if you come to me and say, "I am sorry so-and-so has not turned out well, I will give you so much back." I enclose a letter for you to forward to Messrs. Weatherby; that will end the matter.' After that did you take possession of these horses?—Yes.

Sir CHARLES RUSSELL: Will you be good enough to read in connection with that the letter he encloses for Wood to send to the Stewards?

Mr. WEATHERBY: I have here (producing) the letter from Wood.

Sir HENRY JAMES: It is dated the 14th January, 1884. 'Gentlemen—I have disposed of all my horses to Sir George Chetwynd. Mr. Sherrard has bought my half, so will you please send me a licence to ride.'

From that date did these horses come into your hands?—Yes; I paid the trainer's bill for them and accepted the responsibility for their entrances and forfeits.

How did these horses turn out?—Very badly, or four of them, at all events, turned out very badly.

In accordance with what was stated in this letter from Wood, what sum did you afterwards pay Wood for them?—1,200*l.*

Has Wood had any share or any property in these horses from the day after which those letters were written?—No, never.

And you are prepared to give in full details of what the horses did, and what became of them, if necessary?—Yes.

Of course, during this time you were communicating with Sherrard in writing?—Yes.

And those letters would be in Sherrard's possession?—Yes.

It came to your knowledge that they were in existence, and your solicitor has seen them?—Yes.

Have you the slightest objection to your correspondence with Sherrard being seen by anybody?—No, not the slightest.

They are at the disposal of Sir Charles Russell?—Yes, certainly.

Sir HENRY JAMES: With the exception of anything that may arise in reference to these horses, I have no further questions to put to the witness.

Cross-examined by Sir CHARLES RUSSELL.

You first became the owner of horses, I think you said, in 1869?—Yes.

Have you filled the office of Steward of the Jockey Club?—Yes, about 1878, I think.

One who has served the office of Steward is eligible for re-election at a later period?—Yes.

It is hardly re-election, I think, but co-optation?—Yes.

Have you served more than once?—No.

Did you ever hear of a person known as the American plunger?—Yes.

What was his name?—Walton.

Did you sell him a horse?—Yes, Sutler.

Was it Wood who introduced you to Walton?—No, no one introduced me to him. I met him upon a racecourse and got into ordinary conversation. On racecourses people come up to one and talk about racing and betting. I am certain I was never introduced to Walton.

Did he come up to you and ask you to sell Sutler?—No.

How did that come about?—I heard that he was going to back him for a lot of money.

Who told you?—I do not know.

Wood?—No.

Are you quite sure?—Quite sure.

Did Wood sell him?—No, Wood did not sell him.

Or arrange the price?—No.

Or negotiate it?—No.

Did you sell him upon the terms that he was to be allowed to remain in the stable?—Till after that race only.

In consequence of that were you requested to leave the stable?—No.

How did you come to leave the stable?—The Duchess of Montrose wrote to me and said that she wanted to keep the stable to their own horses entirely.

Was that immediately after the sale of Sutler?—No, not immediately.

Very soon after?—It would be towards the end of the year.

Did it come to your knowledge that the American plunger, Walton, was a very heavy better?—Yes, it had come to my knowledge.

Did he pay large sums to jockeys for information?—I heard all sorts of rumours about him.

Did you hear that he paid large sums to Wood for information?—No, I did not hear that he paid any sum of money specially to Wood, but I heard something in connection with a race that Wood rode, and I will tell you what it was, and that is the only time I have heard anything about Walton and Wood. Wood rode a mare belonging to Mr. Graham, the breeder, in a race at Newmarket, and it won, and I heard rumours, and indeed Wood admitted to me, that he had told Walton that he thought she was sure to win, and Walton had backed her and had made him a present. It was unnamed, I think—a mare by Sterling.

Do you say, excepting that occasion, you never heard it suggested, truly or untruly, that Wood had received large sums of money from Walton?—I heard rumours that Walton gave all the jockeys money, but not Wood more than any other jockey, except in this one instance I have mentioned.

Was Wood riding in that race?—He rode the winner.

Were you present in the Birdcage at Newmarket upon the occasion of a scene between Sir John Astley and the American plunger?—No doubt I may have been there, but I did not see the scene; Sir John Astley told me about it.

Was that in reference to a race in which a horse called Medicus ran?—Yes, I think so.

Who rode Medicus?—He ran so many times that it is difficult to say, but I think Wood, though I am not positive.

Do you know that Sir John Astley complained that he was forestalled by Walton, amongst others, so that he could not back his own horse?—Yes, I do.

Did you ask Wood whether he got any money from Walton upon that occasion?—I do not remember at all whether I asked him anything about the race.

Do you consider it a proper thing for a jockey to receive money for information about his mounts?—It depends, and it is really a difficult question to answer. I should not consider that a man ought to give a jockey a present for telling him about things. I do not think it was right, but I do not think it is a very heinous offence. I should not do it myself.

In 1884, as we have heard, after a short time at The Nunnery

stables, your horses and those in Sherrard's stables went to Chetwynd House?—Yes.

Let me see who the owners were—General Owen Williams?—No. Mr. W. R. Marshall, I think, Mr. Montgomery, a French gentleman, and myself; I do not remember anybody else. There was, of course, Sir George Arthur, because he had a share in horses with me—in 1885 and 1886 and 1887.

General Owen Williams, Mr. Hungerford, Mr. Benzon?—Yes, Mr. Benzon during one of those years.

During 1887?—Yes, and 1886 too, I think.

Who else?—Lord Lurgan, Mr. Montgomery, and Mr. Barnard in the latter part of one year—1887.

And Mr. Baird?—Yes, he was part owner with me.

And Mr. Brewer, the bookmaker?—Yes, I think so.

Now, as to these partnerships. Amongst your partners you have told us was Mr. Abington; did you know much of him?—Yes; on racecourses I have met him.

Do you know that he has partnerships in as many as from twenty-six to thirty horses?—No.

Did you ever inquire from him to ascertain?—No; I never inquired anything about his horses, or about him.

How many horses were you interested in with Mr. Baird from 1884 to the present time?—First of all, Brighton and Whitefriar, and then, next year, Whitefriar, Sly, and Abelard, and since then a mare called Spite, and Cedar. I had one with Lord Lurgan, two with Mr. Peck—Giesshubler and Goldfield—and Gay and Bay Comus. The late Charles Brewer was part owner of Robert the Devil, and was my commissioner for many years.

In the year 1887 there was a question about Wood's riding of Success?—Yes.

You have told us who the owners of horses in the stable were then; has General Owen Williams any horses in the stable now?—Yes.

What horses has he there?—I do not know how many horses.

Mr. Hungerford?—No.

Mr. Benzon?—No.

Has Mr. Benzon any horses anywhere?—I do not think any.

His career began and ended in 1887, did it?—No, hardly—1887 and 1888, I think.

You gave him the benefit of your advice ?—Yes.

Did you sell him horses ?—Yes, Kingwood, Spectrum, and three yearlings.

What did the price of those five represent ?—About 4,500*l.*

Are any of them in the stable still ?—No they were all sold.

By auction ?—The three yearlings were sold by auction, and they fetched more than he gave me for them.

And the other two ?—Kingwood won a lot of races for him, and it was sold to go somewhere, but it died the other day on board ship.

You said yesterday, adopting the very strong language put to you both as to Sherrard and Wood, that no suspicion of Wood ever crossed your mind; is that so ?—You mean no suspicion of Wood's dishonesty ?

Yes, and it would have reference to unfair riding, or to equivocal riding—do you adhere to your statement ?—Yes, I do not know of anything against Wood.

Do you say that no suspicion of Wood's propriety of conduct as jockey ever crossed your mind ?—No, no suspicion.

Can you tell me whether this is correct, that his professional income as a jockey, calculating the ordinary rates for winning and losing mounts, would be roughly speaking between 2,000*l.* and 3,000*l.* ?—I should think a great deal more than that.

I think you will find not.—You mean actual winning mounts and losing mounts, not counting winnings and presents ?

Yes, I said so. Has he the reputation of being a man who has acquired a large amount of property ?—Yes, I should think he has.

The Chetwynd House stables ?—Yes.

What did those cost ?—I understood that the whole thing cost 10,000*l.*, but I do not know, and cannot give any information upon it.

He is the owner, also, of some hotel or hotels in Newmarket ?—I do not know.

He bought Sir John Astley's house, did he not ?—That is the same thing as the stables.

Has he got Suffolk House ?—Yes.

And he is the proprietor of a stud farm near Newmarket ?—Yes.

I think I am right in saying that you attended the trial of Wood *v.* Cox throughout ?—Yes.

Wood is also the part owner in a thriving business in the coopering line, is he not ?—I think so.

The presents must have been very large ?—Yes, very large.

Has he told you on any occasion of the presents he has received ?—Yes, I have heard of presents, he has told me himself.

Had reports come to your ears at any time of the existence of a jockey ring ?—Yes, I should say four or five years ago.

I should like to know what that means. Does it mean jockeys putting their heads together in a given race as to which horse they would go for ?—I should think so. I do not know, and I should like to know what it means also. I do not know for certain, but that is my idea of what it does mean.

That is to say, four or five jockeys in a race practically agreeing that one horse in that race should win ?—Yes, I suppose so.

Their interest and object would be, if they were about to do a corrupt thing of that kind, to back the horse that was to win ? —Yes, I should suppose so.

Do you think that such a ring existed ?—I am positive it did not.

Have you always been of that opinion ?—When I first heard of it, naturally one began to think whether it was possible or not.

Did you soon discard the idea or entertain it for long ?—I did discard it. I believed it was not possible.

And you thought you were not called upon to take any steps in the matter, or to follow it up ?—I was going to follow it up and examine into the matter.

This is the 'Calendar' for 1884. At the April meeting of that year you put this question : 'To ask the Stewards whether they are aware that it is openly stated that a conspiracy exists between certain jockeys and so-called professional backers of horses to arrange the results of races for their own benefit, and if they have heard of such statement, and believe it possible such a plot exists, what steps they propose to take in dealing with the matter.'

Who were the jockeys that were suspected ?—No particular ones—a great many. No doubt Archer and Wood were amongst them, because I spoke to Archer and Wood, and said I should do this, believing it was utterly impossible, and believing there was not one word of truth in it.

Were they supposed to be in the same ring or in different rings?—I do not know, I am sure. I do not know who invented the story.

Am I to take it that this question of yours was put in the interests of Archer and Wood?—I thought it a shame that a story like that should go about, and I thought it would be a good thing to call the attention of the Stewards of the Jockey Club to the fact that such a report was going about, in order that, if they liked to go into it, they might show how unfounded it was.

I want to call attention to a letter, which has already been read in another connection, at the beginning of 1884, and it is agreed that it is dated the 14th January. In that letter you say, writing to Wood, 'Of course I can see that all jockeys will have to be very particular in their behaviour this year, as the Stewards will be very strict.' Do you recollect that?—Yes, perfectly.

Were there or not in your mind at that time evils, or supposed evils, existing in the conduct of jockeys?—No, not evils, but I particularly put in that letter, I think, that professional backers were the pest of the turf.

I will read the next sentence. Am I to take it that, so far as the jockeys were concerned, you did not think there had been, putting it briefly and straightforwardly, any malpractices?—No, I did not believe in any evil, but I did believe that these people interfered with the jockeys in their profession. For instance, when a jockey was weighing out there was always a man waiting for him outside to talk to him, and the owner would have to wait at a distance till he had done talking to this man; and I think it is not a right thing to do.

Now let me read the next sentence in your letter: 'It is chiefly, thanks to the men who have sprung up, who get a living by touting what jockeys think about a race that is going to take place and then go off and tell all their friends. They keep one or two horses to be called owners, and are the greatest pest the turf has, as they are thieves themselves, and if everything does not come off as they wish they accuse people at once of dishonesty. I hope our young ones are going on well.' You must surely have had in your mind there some definite persons?—No, I had no one in particular in my mind. It is a general statement made to my trainer.

If jockeys are allowed to bet, or if their owners bet for them, it would facilitate the kind of malpractice here pointed out, would it not?—No, quite the contrary; it would prevent any jockey who wanted to bet having another man to bet for him.

Supposing that you put on—I am not suggesting that you did—some money for your jockey, and he put on money through other channels that you did not know anything about, or at all events were not presumed to know anything about, it might be worth his while to square other jockeys?—Yes, in that case; but this is insinuation that you are putting to me, because I do not know anything of the kind.

I am not suggesting for a moment you do. I am calling attention to what Sir Henry James said about the rule against betting. The object of the rule was twofold—first of all that it was a bad thing for jockeys to bet at all, and next, if they did bet it might give them such an interest in their winning mounts as would give them an object or motive in trying to square other jockeys?—I never understood the notice to mean that jockeys were not to bet at all, and I rather like jockeys to bet. I thought the notice meant that jockeys were not to bet high—for instance as much as 300*l.* or 400*l.* on a race.

There is a third object in the rule, that if jockeys are put on by their owners they may think they have a perfect right to back other horses if they choose?—I think exactly the contrary, and I should not have betted for Wood if I did not hold that opinion.

Your idea is that it is a good thing for the public for the jockeys to bet?—Yes, I think if every jockey were to put 50*l.* on the horse he was going to ride it would be a good thing.

Do you think that since the events that have transpired in 1887 racing has been straighter?—No, I do not.

Do you think that since 1887 there have been fewer complaints and suggestions of pulling?—I do not know about suggestions, but there have not certainly been fewer rumours.

Do you think there has been less in-and-out running since 1887?—No, certainly not. I think there has been more in-and-out running this year than I have ever seen in my life.

Inexplicable?—No, not more so than other in-and-out running.

Do you think there has been more or less inexplicable in-and-

out running?—Inexplicable is a funny word, because a man may have an explanation which is a very bad one.

If it be a very bad explanation I should call that inexplicable?—I certainly could point out horses this year that have shown tremendous in-and-out running, which no man could possibly account for, and that has been the case more than I have ever seen.

Your impression is that things have not improved?—Yes.

And your impression is that a strict enforcement of the new rule against jockeys betting would have a bad effect?—I do not know of any new rule.

I call it a new rule.—It is not a new rule, it is a notice put in the 'Calendar,' and it has never been made a rule of racing.

As an ex-Steward and member of the Jockey Club you would not consider it right to be a party to a course of practice contrary to the notice?—I thought it was not contrary to the notice, and thought it was well within the spirit of the rule. The notice was about jockeys betting largely.

You no doubt think it would be objectionable and condemnable to be a party to a course of conduct contrary to that rule?—That certainly cannot apply to any course of conduct I pursued.

I wish you would be good enough just to attend to the question put to you for a moment. Irrespective of yourself, you would consider it condemnable to countervail that notice?—For an owner to bet for a jockey?

My question was a general one—you would not consider it proper to countervail that notice?—I should not say it would be a wrong thing for an owner to bet for a jockey in small sums.

Mr. LOWTHER: You, Sir Charles Russell, will bear in mind that in the original notice the words 'betting largely' were used. One notice in other words prohibited large betting, and the other notice prohibited betting of any kind.

Sir CHARLES RUSSELL: Your counsel has asked you, and I am very loth to put more than general questions on the subject, but as he has introduced it, I must put a question to you. From what you have yourself volunteered to state in your examination-in-chief, it was an object to you to win money at racing?—Yes, to make my horses pay.

I am not talking of stakes. What did you win in 1884—by

bets, I mean?—I do not know, I am sure. I cannot add up the whole book.

In 1885?—I do not know.

In 1886?—I do not know, I am sure.

In 1887?—I should think about the same as last year.

1886 and 1887?—No, 1887 and 1888.

How much?—About 5,000*l.* or 6,000*l.*

And the same in 1888?—Yes, about the same in both years.

And about the same in 1886?—I do not know; 1886 and 1885 rather more.

And 1884 and 1885 somewhere about the same?—Yes. I do not know, I think it came out pretty right every year about the same amount.

Roughly, about 6,000*l.*; in some years more?—Yes; I think in some years it was much less, too.

Tell me if I am not right. Up to about 1883 the results had not been so satisfactory?—I do not know, I am sure—before 1883 you mean?

Yes.—I do not know, I am sure; I could not tell you at all.

Could you say that it is not?—I have a recollection a good while ago of winning a good deal of money. It is a long while ago. It would be about the years from 1880 to 1882. I did very well; my horses were very fortunate.

Have you put on your jockeys in 1888?—No.

Backed horses for your jockeys?—No, not since I saw Mr. Lowther in 1887.

It was in 1884, you know, you went to Chetwynd House?—Yes.

I have asked you generally about your winnings on bets. As regards your winnings in stakes in 1883 you won 3,400*l.*; in 1884, 9,200*l.*; in 1885, 6,400*l.*; in 1886, 8,020*l.*; and in 1887, 6,100*l.* That is about right, is it not?—That is one side of the book, but it does not take in all the entries and forfeits, which makes a tremendous difference.

You did in those years pay off considerable money obligations you were under?—Not considerable; but I paid off, undoubtedly.

I am still upon the subject of Wood. You know Lord Durham's speech was made on the 13th December, 1887. Who told you that that speech referred to your stable?—My brother told me.

You had not read it yourself?—Yes, that day in the train.

Did you read it as referring to your stable?—No, I did not read it as referring to my stable. When I got to the end of it I had my suspicions for a particular reason, and my brother confirmed those suspicions.

Were you aware at that time that General Owen Williams had demanded an inquiry into the riding of his horse, Success?—I only knew it the day before I read the speech, down at Newmarket.

Had you heard the running of Success spoken of?—No.

You were not yourself at Alexandra Park or Derby?—No.

Were you also aware—these things, I am told, being unknown to Lord Durham—that the Stewards desired to have an inquiry into what was described as the in-and-out running of Fullerton before the speech?—Yes.

I have something more to say about Fullerton presently; but, speaking broadly, do you consider that Fullerton's running in 1887 was in-and-out running? Whether it can be explained is another matter we will come to presently.—I should have to speak very broadly to say that it was in-and-out running.

I merely want to get your explanation for the moment?—On account of the difference of the courses. If the differences were not taken into consideration, and the ground, I should say it was in-and-out running.

When you speak of the state of the course, what do you mean?—Whether it is deep, whether it is muddy, and the length of the course.

I understand from that suggestion that you mean that the horse did not like heavy going?—I say so.

Do you mean to convey that, taking into consideration the different length of the course, and the different state of the ground, it was not in-and-out running—if you take into account the state of the ground and the different length of the course?—I think his running is capable of explanation to people who do not understand it.

It is in-and-out running on the face of the thing, but it can be explained?—I think so. At any rate, I can give you my own opinion about it.

One other question about Fullerton of a general kind. Would you say that his running in 1885 made him out a fair two-year-old?—One race did.

Would you say his running in 1886 would make him out a bad three-year-old?—No, not a bad three-year-old; it would make him out a fair handicap horse.

Did you try him at all in 1886 to be a good three-year-old?—No, not a good three-year-old. I thought he would be just good enough to get back the money I had given for him.

When the weights came out for the Lincoln Handicap he was first favourite from the start, was he not?—No, I do not think so. I never saw his name mentioned in the betting as first.

What was the largest price you got about him for the Lincoln Handicap?—I really do not remember; 20 to 1, I think.

That is not a long price for the Lincoln Handicap?—Yes, it is, nowadays.

Did it not come to your knowledge that Fullerton was backed for the Lincoln Handicap before the weights came out?—No, it did not.

If that were the fact it would be an indication that a portion of the public who considered themselves astute considered this a very good horse?—I have nothing to do with what the public think. They do very stupid things. They back horses that have no chance.

And I suppose the most astute backers do so too?—Yes, I do.

I was asking you still, please, in relation to Wood. Did you get an intimation yourself about the inquiry into the in-and-out running?—Yes, from Messrs. Weatherby.

Was it in answer to that that you furnished the Stewards with the list of your bets?—Yes, I did. I wrote an answer back to Messrs. Weatherby. When Messrs. Weatherby wrote to me I wrote an answer back to them to be submitted to the Stewards.

Sir HENRY JAMES: It would be convenient to let us have it.

Sir CHARLES RUSSELL: Sir Henry James would like me to read these letters. I will read them now, with pleasure. The first was the 6th December, that was six days before Lord Durham's speech. It is signed by Mr. Edward Weatherby, and directed to you. 'I am directed by the Stewards of the Jockey Club to inform you that, their attention having been drawn to the fact of invidious comments having been repeatedly and publicly made respecting the in-and-out running of Fullerton during the past racing season, they think it right to bring the matter to your notice before taking any action upon it. I have the

honour to be,' &c. Then your answer was, on the same day: 'Understanding from your letter that the Stewards of the Jockey Club wish to take notice of the invidious comments that have been repeatedly and publicly, as they say, made on the in-and-out running of Fullerton during the past season, and which I have passed over with the silent contempt they merited, I shall be obliged to you if you will request them to hold a meeting as soon as possible, and that they will send me word to attend, that I may prove to them in the most conclusive manner what foul calumnies the said comments are.' Those are the letters you wished me to read?—Yes.

Was that statement true that invidious comments had been repeatedly and publicly made?—No, I only heard one.

Do you mean *vivâ voce*?—No, I never heard one *vivâ voce*. I should like to have heard a man say it to me. Sherrard sent me a little paragraph he had cut out of some paper. I do not know what the paper was.

I put this to you broadly. Do you read the sporting papers?—I read only one sporting paper.

Which is that?—The *Sportsman*.

Do you or not take an interest in the question of public estimation as to your own character as a racing man?—Most certainly.

Could you name one sporting paper which had not what is here called an invidious comment?—Certainly, I never saw in the *Sportsman* an invidious comment.

In reference still to Wood, did you ever feel called upon to require any explanation from Wood as to his riding of Fullerton?—I have asked him about his riding of Fullerton, but I never had any suspicion of Wood's riding of Fullerton that would make me go to him and say 'What do you mean by having done so and so?'

Did the horse ever run so suspiciously in your mind, or Wood ride so suspiciously in your mind, as to suggest to you the need for calling upon him for an explanation?—No.

Now, you were going to tell me that you have asked him questions?—Yes.

For instance?—For instance, in the Lincoln Handicap I saw the horse apparently in trouble about half-a-mile from home, and Wood riding him hard, I thought hopelessly beaten, and then in

the last 300 or 350 yards the horse appeared to be rather catching his horses, to improve, not to be so hopeless and in such distress as he was. I thought something had happened in the race, and so after the race I said to Wood, 'What happened?' and he said, 'The horse stuck in the new ground. Directly he got to the new ground he stuck in it and could not go at all. Directly he got out of it he began to go again.' It was too late then.

How far is the new ground from the finish?—Some distance from the finish it would be.

How far from the start?—I could not tell you exactly, but I should say it is half-a-mile from the finish; but I have no knowledge absolutely, it is only guesswork. I think it is about half-a-mile from the finish.

I think those are all the general questions I have to ask you, and I wish to see that I am quite clear as to the result, that there was nothing in the circumstances in relation to Wood's riding of Fullerton which was such as to call upon you or suggest to you the propriety of asking an explanation of his riding, or of the running of the horse?—No, not as far as regarded any suspicion of the horse's riding, or of his riding it.

May I say the same as regards all other horses ridden by Wood for you?—Yes.

Did it come to your ears that it was suggested that Wood was receiving large sums of money from other owners of horses for whom he rode?—Oh, yes.

Was Mr. Hammond amongst the number?—Yes.

Was it also suggested, and did it come to your ears, that he had received money from owners whose horses he was not riding in particular races?—No, I never heard of it.

Did not you hear it suggested that he had received a large sum from Mr. John Hammond when Florence won the Cambridgeshire? Let me remind you. He was riding the Duke of Westminster's mare, Sandiway. Did you never hear it suggested that he had received a considerable present—1,000*l.* is the sum mentioned to me?—I think, now you recall it to my mind, there was a suggestion about it. I did not understand what you meant at first. I believe there was a suggestion about it.

I presume you asked him about that?—Yes, I did.

He denied it, of course?—Yes. I do not think I did ask

him about it. I believe he came to me and told me of it. It would be a very wrong thing to receive a sum of money from the owner of a winning horse by a jockey who was riding another and a losing horse in that race. I should say certainly it would be wrong, what you have suggested, if he rode Sandiway and received that present of money from Florence's owner. That would be very wrong.

Did not the statement come to you so circumstantially that you wrote to the papers about it?—Yes, but it came to me from Wood. I did not hear of the statement. Wood came to me and told me of it.

Was it not published in the papers?—I do not know, I am sure.

I will remind you of your own letter, which you sent to your favourite paper, the *Sportsman*. 'Friday, the 14th November, 1884.—Sir,—Through the medium of your columns I wish to give the most unqualified denial to the statement that has appeared in certain journals'—what were they?—I have not the faintest idea. It was Wood who told me.

'To the effect that Mr. Hammond presented Charles Wood, my jockey'—that was the origin of the phrase, 'my jockey'—'with 1,000*l.* after Florence had won the Cambridgeshire, or that he, Mr. Hammond, has even given him a present after any race except when Wood has won on his horse. The statements to which I refer are tantamount to an accusation of fraud under Rule 43 of Racing, and therefore ought not to be allowed to pass uncontradicted.' You now recollect that I called your attention to the circumstance?—Yes, I recollect that I wrote that letter.

I am still keeping to Wood, and the reason why we suggest your eyes ought to have been opened or your suspicions aroused. Do you not recollect as far back as 1882 very grave statements being made about the riding of Wood? I will remind you of the race which created some sensation at the time. Do you recollect Corrie Roy, in 1882, running against Ladislas?—Yes, I do, indeed.

And were serious charges made against Wood at that time?—No; I never heard it, except that Fordham had ridden him out of the race. That is the only charge I ever heard.

That is what you say?—I do. I was thinking of the money I had lost. I lost over 1,000*l.*

Did it come to your knowledge that the American plunger, Walton, won largely over that race by backing Ladislas?—No, it did not.

Do you hear that for the first time to-day?—Yes; to the best of my belief I never heard of it before.

Fordham was riding Ladislas?—Yes.

Wood was riding Corrie Roy?—Yes. Fordham rode a magnificent race; it was a short head, I think.

One other question still about Wood. Do you recollect a race that Strathblane lost, and a race on the next day that Strathblane won, at Doncaster. Did you back Strathblane for either of those races?—Neither one nor the other.

Was anything said about the riding of Wood in the first of those races?—I never heard about it until I was sitting in court at the trial about Success; I never did, and I turned round to Wood and said, 'Is this true?' I meant about his being had up before the Stewards about it.

Did you know that the handicapper had called attention to it at Doncaster?—I knew nothing at all about it.

Do you know that he took the unusual step—as I am told it is—of officially demanding an inquiry?—No, I heard what was stated at the trial, but I did not know anything until then.

Do you know that the Stewards did not hold the investigation until some time after, at Newmarket?—I have heard so since.

And then Wood was acquitted?—Yes.

Did you ever ask him about that?—Only in court.

How do you account for his not mentioning this to you; you were on very intimate terms?—I do not know about intimate terms. They were always those of a master to a servant, but they were certainly most friendly terms.

Had he ever bought any horse for you before 1884?—I will not swear before 1884, but he has bought many horses for me.

And to buy at auction, or to buy privately, if he thought it right?—Yes.

At some race meetings you did not attend?—Yes.

On those occasions he had the right to determine in what races the horses should run?—No, not that, because I used to name the horses always myself.

Suppose a horse had two races?—Then I would probably

either write or telegraph down to him to say what I thought about the two races.

But leaving it to his judgment?—Rather leaving it to him to run the races he would most likely win.

Or not to run if you had not given him express directions?—Yes, he would never run a horse of mine without express directions, without my knowledge, or without sending me some information.

I was rather putting the other case of not running a horse of yours if in his discretion he thought proper not to do so?—Certainly he would have authority to do that; I do not know that he has ever done it. He would have to give some good reason for it.

In the case of a trainer are not these the ordinary authorities, or a portion of the ordinary authorities, given to a trainer? Do you know any case where such authority was given to a jockey except this?—Yes, poor Archer had any quantity.

For whom?—For many owners.

Mention an owner?—I should say General Williams.

Any other?—I should think a great many. I cannot tell you for certain. It was an understood thing and an acknowledged thing. I have heard of Archer claiming horses—'I am going to claim this for so and so,' and 'I want to claim this for so and so,' and buying them at auction.

Is it true to say that Sherrard very frequently did not attend the races at all?—Perfectly true.

And that in point of fact Wood had the management of the horses?—No, never. I had the management of my own horses.

You sometimes were not there?—I, of course, always wrote directions beforehand, or sent some one down.

Sometimes you were abroad?—Yes.

In your absence would it not be correct to say Wood had the management?—No doubt I relied on Wood to do the best for me in my absence. I can hardly say managed, but to act as a servant would to his master.

Did you ever hear that Wood was interested in horses running in the name of Burton?—Yes.

Who trained them?—Bambridge.

The number of those horses you did not know?—No, I did not know. Mr. Burton distinctly denies it.

Did you learn, or were you told, that he had an interest in horses trained by Macksey, or in any other horses?—No.

But he had some running in his own name besides those in Sherrard's stable?—I conclude he had, but I have no recollection of it.

At all events when you wrote, 'I have nothing to do with horses elsewhere than at Sherrard's,' you meant 'The horses I am buying are your horses at Sherrard's.' That is what you mean?—Yes.

Then in answer to that letter of yours of the 14th January comes Wood's letter to you: 'I beg to say I am quite satisfied with the arrangement in reference to my horses. You suggest therein you may now consider them your property.' That was the lease, you paying the costs of training, and dividing the stakes and making an arrangement beforehand if you entered them in selling races?—That was the original one. That fell through; we were not allowed to do it. I do not know whether that letter applied to that.

It clearly does. 'I most sincerely hope you may be fortunate with them, for I am sure they are a useful lot;' and then it adds at the bottom of the letter, 'and I am sure, Sir George, they are all I own.' Then came the information from Mr. Weatherby that that arrangement could not be carried through. I want to call your attention to Sherrard's letter to you. You had faith in Sherrard?—Yes.

He objected, naturally, to their going out of the stable?—Yes; he was particularly anxious to keep them.

He thought they were the makings of good horses?—He did not know anything about them.

Then you write suggesting that one way of getting out of the difficulty as to leasing would be if he became part trainer with Sherrard. 'That probably,' you go on to say, 'will not suit you, and the best plan will be, if I can manage it, to buy them outright from you, though it is very difficult to determine the value of two-year-olds at this time of year. I shall consider your letter to-morrow, and will reply to it at once.' Do you recollect that letter?—Yes.

Having considered it, you sent a telegram, 'You and Sherrard value the horses and send me the result. If I cannot manage to buy them, see no alternative but Tattersall's'?—Yes.

Then the valuation comes in the letter of the 8th February from Wood, accompanied by a letter from Sherrard. Both letters are dated the 8th February. I wish your pointed attention to this: 'I beg to say that I have received your message in reference to the horses belonging to me. Mr. Sherrard and I valued them at a price we think very far below their value, but under the circumstances it is perhaps best that you should buy them outright'—repeating your own words. 'So far as the money is concerned, why, pay for them when they win it for you. If they do not turn out well, I shall, of course, take nothing for them. Will you please send me a letter that I may send to the Stewards of the Jockey Club, and say that you have bought them of me.—I remain, Sir George, your obedient servant, Charles Wood.' Do you recollect that letter?—Yes.

Then we have got the valuation amounting to 2,300*l.*?—Yes.

Then I must ask you, did you, as master of the stable, and still more, in your position as a member of the Jockey Club and as an ex-Steward of that Club, think that that was a proper arrangement for you to enter into with your jockey?—There was no arrangement at all. I bought the horses.

I am putting this to you: 'Mr. Sherrard and I valued them at a price we think very far below their value; but under the circumstances it is perhaps best that you should buy them outright. So far as the money is concerned, why, pay for them when they win it for you. If they do not turn out well, I shall, of course, take nothing for them.' Did you think that was a proper arrangement to enter into with your servant and jockey?—I did not think it was an improper suggestion on his part at all. They were particularly anxious these horses should remain in the stable. They could not know absolutely what was the value of them, because four of them were two-year-olds, which had never been tried twenty yards in their life, and were totally unfit; therefore it was all guesswork. If you sent two-year-olds to Tattersall's they would fetch 5*l.*, because everybody would suppose they had been tried and found worthless. These had never been tried, so it was mere guesswork what they were worth.

Now, I call attention to the answer to this letter. First, a

letter of Sherrard's: 'And so he asked me to value them, which I did, at a price I thought fair between you and him, but which I think, and Wood thinks also, far below their value.' You believe that Sherrard was writing what he thought?—All his geese are swans. I think he has a tremendous idea of the value of horses.

You had sufficient faith in him to believe that he was writing what he honestly thought?—I accepted his statement.

Then he goes on: 'Still, under the circumstances, it is, I am sure, the very best thing that could be done'—he is putting it rather that Wood is making a sacrifice—'and as Wood, of course, like myself, would a thousand times rather that you should have them than anyone else, or that they should be sold. Arbaces, at 500*l.*, cannot be considered dear; Columbine, late Trot, at 500*l.*, also cannot be anything like her real value, and I think she is worth 1,000*l.* Moncrieffe at 500*l.* is cheap, and may make a racehorse of high class, as all out of his dam, Maid of Perth—Glen Albyn's dam; and Alucha is a nice filly, and cheap at 400*l.*, as is also Vol-au-Vent at 300*l.*; and Petit Duc is very cheap at 100*l.*, and you can put him into a selling race at any time, for he is now nearly fit to run, and Vol-au-Vent will be ready to meet her engagements at Liverpool Spring if you want her. Arbaces and Columbine you can have almost when you wish to run them.' I suppose the word 'ready' is left out?—Yes.

'The latter'—that is, Columbine?—Yes, that is what I meant. I knew that she was a big, backward mare.

'It would be best not to be in too great a hurry with her; she is a very fine filly indeed. Moncrieffe and Alucha will be more backward, particularly the former. We have requested Mr. Manning to forward to you by this night's post the plans of the new stables we are about to build,' and so on. Your answer to that letter is this. Why do you mark this letter, which is the only one of the lot, so far, marked private? Was it not this, putting it to you plainly and frankly, that it was a letter disclosing an arrangement which you thought it was undesirable should be known?—Certainly not; I give my word of honour it was not.

February 18th: 'I am quite sensible of your wish that I should lose nothing by the horses, and if I take them I propose

accepting the terms you suggest in your letter in a friendly way, viz., that if they turn out badly we shall not stick to the price agreed on now, 2,300*l.*, but arrange between us and Sherrard what will be fair for both parties. This arrangement in a friendly way has nothing to do with anyone else, and no one need know it. You sell me the horses for 2,300*l.* with their engagements, and they become my property now. It is nothing to anybody else if you come to me and say, "I am sorry so-and-so has not turned out well; I will give you so much back." I enclose a letter to you to forward to Messrs. Weatherby, and it will end the matter.' I must ask your deliberate opinion, Do you think if that letter which I have read was forwarded to Messrs. Weatherby for inspection by the Stewards, together with the letter which you forwarded, that that would be regarded as a compliance with the rule, and a sale outright to you?—Most distinctly, I think it would. It was a sale outright to me.

Was, or was not, the result of this transaction to give Wood an interest in those horses?—No, I swear it was not.

Was it not obvious that it was?—I ought to have framed the letter better, because you have twisted and turned it.

I assure you I have not.—I will not say that, but you put another construction on what I meant when I wrote it. I give you my word of honour I bought those horses outright from Wood, that I owned every hair of their tails, and from the time I bought those horses Wood had nothing whatever to do with them.

What did you mean by this? I assure you, Sir George Chetwynd, it is no pleasure to me to put these things to you.—I am only telling you what is the truth.

You see the letter is marked private, and then you say, 'This arrangement in a friendly way has nothing to do with any one else, and no one need know it.' Do you not see what it meant?—There is no doubt it is this. The price they asked was 2,300*l.* I knew it was guesswork on Sherrard's part valuing the horses at that price, and there was no reason why it was absolutely necessary because I had bought the horses for 2,300*l.* that I should pay the 2,300*l.* Suppose I had gone to Newmarket the next day, and said, 'Really I do not think this animal is worth the 500*l.* you think it is;' and Wood had said to me, 'I will ask 300*l.* for it, if you think of it. Knock 200*l.* off.' At 2,300*l.* I

thought I had bought them outright ; but at the same time, if I had gone to Newmarket the next day, and said, 'I promised to pay you 2,300*l.* for these horses, and I do not think, looking them over, they are worth it,' I think both Sherrard and Wood would have said, 'If you think that let us take so much off.'

Let me ask you, Why should not the horses have been put up to auction, and if you were able to buy them, and pay for them, buy them at their market price ?—You see Sherrard and Wood had an exorbitant opinion of them. The thing was hurried ; Wood had to get rid of his horses to get his licence ; I was anxious to help them ; Sherrard and Wood wanted the horses in the stable ; Wood wanted to ride them, and Sherrard did not want to part with them. When Wood got rid of his horses he would get his licence.

There was no racing until far on into March ?—No, but they were writing about the licence, and he was anxious to get it.

Did you read the rule which prohibits jockeys to have race-horses ?—Yes ; I have read it, no doubt.

As a matter of fact you did not pay anything for those horses until July 1886 ?—No.

Just see what Arbaces won, and what Columbine won, and tell me whether it was not 1,050*l.* odd, and did you not pay 1,200*l.* ?—I never had Arbaces in 1883.

You had it in 1884, and sold it in the spring of 1885 ?—In 1884. Then I did not have it in 1885.

You sold it in the spring of 1885, I think ?—No, I sold it the same year I bought it. It was the end of the year. Arbaces won three races.

Subject to correction, I am told you will find the figures are these : about 1,130*l.* won in stakes, and, with some moneys for being second, coming close up to 1,200*l.* ?—And how much for their forfeits ?

I am not comparing it with those figures at all. I am comparing the stakes they won with the price you paid.—And how much their training expenses ?

If we are to go into that account we must also go into what you won by them, which I am not going to at present. Subject to correction, you will accept that ?—Yes, but I have not the faintest idea—I do not know.

Now, you referred yesterday to the receipt which Wood gave you on the 1st July, 1886. Kindly let me have it. (Handed to Counsel.) This is the receipt: 'Received of Sir George Chetwynd, Baronet, the 1st of July, 1886, the sum of 1,500*l.* 1,200*l.* in full acknowledgment of the purchase of Arbaces, Columbine, Moncrieffe, Alucha, Vol-au-Vent, Petit Duc, and 300*l.*, the price I paid for Saida for Sir George. Signed, Charles Wood.' You recollect that?—Yes.

Tell me what has become of those horses—you sold Arbaces?—Yes. At the end of the year I bought it for 1,100*l.* for Mr. Baird. Mr. Peck I sold it to really. I did not see Mr. Baird. I understood that Mr. Peck bought it for Mr. Baird.

Then Columbine?—Columbine I sold at the end of 1886 for 800*l.*

To whom?—I believe the King of Spain. That must have been at the end of 1885. She was sold through Sherrard, and went to Spain.

The others did not turn out at all well, I believe?—No.

What became of Moncrieffe?—I do not know. I sold him at Tattersall's for 5*l.* Alucha I sold for 200*l.* as a brood mare. She never ran. Vol-au-Vent died a month or two months after I bought her. Petit Duc I sold for 45*l.* for a hunter the same year.

Who was it bought Alucha?—A lady, Mrs. Richards; she had a breeding stud. She died, and the mare was sold afterwards by auction in her stud.

Then I make out by those figures they realised 2,145*l.*, or, including Moncrieffe, 2,150?—I do not know.

Now, you told us about your bets for Wood, the highest of which, according to the betting books, the entries of which we have seen, was 50*l.*?—Yes.

You are aware who was Wood's commissioner, are you not?—I have only heard of one man that has been spoken of as his commissioner, his name was Hopkinson.

Do you know what was the amount that you put on for Wood? Your betting for Wood consists, according to your statement, which I am accepting, in putting on a tenner or a pony on the horses he rode of yours?—Yes, and now and then the stable.

You were aware, were you not, that, in addition to these

sums you put on, he was also put on by other owners when their horses were running in your stable? Lord Lurgan, for example? —Yes, I have no doubt he did; on one or two occasions I know he did.

Therefore, in the aggregate it would come to a very considerable amount of betting?—Well, because he rode so many horses. The actual sums were small that he backed horses for to my knowledge. 10*l.* or 15*l.* was the average sum he betted with me.

What he betted through his commissioner you would not know?—That I know nothing on earth about. I did not know he betted through his commissioner. The reason I betted for him was to save his betting with other people.

But did not you know it so that you marked your account at Tattersall's, when you lost money to Wood, with the name of Hopkinson as the person who would settle Wood's account?—I do not know, I am sure.

Just look at your account sent in to Brewer, and see whether I am not right?—You mean did I mark my accounts for Hopkinson to pay Brewer for Wood?

On the contrary; did you mark your accounts for Brewer to pay Hopkinson, who was to receive it?—Oh, I have no doubt it was so.

And, therefore, that Brewer would know?—Certainly. Subject to examination and correction, I have no objection to the amounts being stated now. It is 252*l.* in 1885 apparently. The highest stake in that year, as far as I can see, being 25*l.*

Sir HENRY JAMES: And an average of about 11*l.*

Sir CHARLES RUSSELL: Then in 1886 the amount is 345*l.*, plus 85*l.* There is between 400*l.* and 500*l.* in 1886, the highest bet, apparently, being 25*l.*

Sir HENRY JAMES: The average of 1885 is about 11*l.* a bet.

Sir CHARLES RUSSELL: Now, again, Sir George, I must really put it you, were these relations which you have been telling us about between yourself and Wood relations that, in your judgment as a racing authority yourself, and a member of the governing body, were compatible with thorough independence of jockey and master?—I think so, certainly. I do not think the relations between Wood and me have been anything else except those of master and servant, only that I have been excessively friendly to him.

Now I want to call your attention to another matter. You were paying at first a retaining fee of 100 guineas to Wood. Afterwards it was increased to 300*l.* I see from the accounts you have given us that at the end of 1884 you owed Wood 651*l.*? —Yes, that is his account.

That would be exclusive, would it not, of the fees which he would be paid through Weatherby—the five guineas for the winning and the three guineas for the losing mounts?—Yes.

Those would pass through your account? They would go to the debit of your account at Weatherby's?—Yes.

Did you pay anything in 1885?—I do not know, I am sure.

What was the 651*l.* account for?—I forget what it was for.

It is to the end of 1884?—I did not pay anything for 1885. He never sent in his account at all.

Am not I right in saying you paid nothing in 1885?—I think that 651*l.* was for 1883 and 1884.

Quite right.—So he sent me a bill for the two years in one. You may take it I paid the two years in one.

I want to get this clear: you paid him nothing in 1883, and nothing in 1884?—I do not think so.

You paid nothing in 1885?—I do not think I did.

And you paid nothing in 1886?—That I cannot tell you.

You paid nothing in 1887?—Then when did I pay the 651*l.*?

I will come to that in a moment. You paid nothing in 1887? —I say I do not know when I paid this money.

Then kindly look and see.—I find I did not pay it till the 11th January, 1888.

So that in 1883, 1884, 1885, 1886, and 1887 you paid nothing? —I paid all his winning and losing mounts.

I began by saying that, Sir George.—Quite so.

That was through Weatherby; you yourself paid nothing?— No, I paid nothing.

And you were aware by the date of January 1888, that severe strictures, well or ill founded, were made upon your relations with Wood and jockeys?—No, I was not. I know of no strictures that were made on me except by Lord Durham.

Did not you know that the one great point of Lord Durham's, to which I have already adverted this morning, was the extraordinary circumstance (I am putting it in my own words now, and when we refer to the speech we can see whether I am correct)

that no explanation was called for by the owner of the alleged in-and-out running of his horses?—I know that he said owners did not demand an explanation of the in-and-out running of their horses.

And you knew it pointed at your stable?—I knew it pointed at my stable.

And you knew it pointed at you principally?—Not at all, because I am innocent. I am not going to accept a thing of which I am innocent.

I say it *pointed* at you, Sir George. Your brother told you so, and you thought so yourself?—Yes, I had reason for thinking so.

Now, again I must really put it to you—Do you think that relation which is disclosed by the non-payment of these accounts was consistent with thorough independence between master and servant?—Certainly. I was not obliged to pay him at all.

Not the retainer?—Certainly not: the retainer was simply a nominal thing. I begged Wood several times to get another master who would give him more money than I could afford to do, and he said he would rather ride for me first call than anybody else who would give him 1,000*l.* a year. I said I would try and give him 300*l.* a year retainer, but that it must not be considered that I might not have to throw him over.

Then am I to understand that instead of your being under an obligation to pay him 300*l.* a year, it was a fast and loose engagement to pay him what you pleased, or pay him nothing if you pleased?—No, I meant fully to carry it out if I could afford it.

And if you could not, then not?—I never went into that possibility. I considered it was certain I should do so.

Now, in order to follow this I will dispose of one other matter. You correctly said that you did make a payment on the 11th January, 1888, of 500*l.*—after this matter had got in the papers. And you made a further payment on the 24th May, 1888?—Yes.

Now I want to call your attention to its terms. Will you kindly give me the receipts—one of the 11th January, and the other of the 24th May?—Certainly (handing same to Counsel).

The one of the 11th January is: 'Received of Sir George Chetwynd, Bart., 500*l.* on account for riding. Received 11th January, 1888.' I put that in. The next is: 'Received of Sir

George Chetwynd, Bart., the sum of 151*l.*, the balance of account, 1884.' Up to this moment, am I correct in saying that in respect of 1885, 1886, and 1887, no payment has been made?—No payment of the salary.

As a matter of fact, so far as the last account you produce, namely, the account up to and including 1884, he does charge both for riding trials and for expenses?—Yes.

We have no further accounts?—You have no further accounts.

Have you been furnished with one?—He has been paid.

But have you been furnished with any more for 1885, 1886, 1887?—Oh, yes, and paid them.

For 1885, 1886, 1887?—Yes.

Let us have them, please?—I do not know where they are. You can see the cheque and pass book.

Let me have the accounts and the receipts. Are not you mistaken, Sir George?—I am perfectly prepared to be mistaken, but I am not. You can see in the bank-book.

You have produced the accounts for 1883 and 1884. I want the accounts and receipts in any later years.—I should think it would be very easy to find them. On the 30th July, 1888, I paid Wood the whole of his account. You will see the pass-book shows it.

What is the item you referred to in the pass-book?—You see, 'Wood, 950*l.*'

Do I now understand you to say that there was no engagement or agreement by you to pay 800*l.* a year to Wood?—No binding engagement. I said I would pay it if I could afford it.

This is your answer to the second interrogatory. 'Charles Wood first rode for me as jockey, so far as I can recollect or state, when he rode Chypre for me in the Ascot Stakes in 1877, and has ridden for me as jockey more or less continuously since that time until his licence was withdrawn by the Jockey Club recently. Until 1880 the terms of his employment by me were the usual ones for a jockey employed to ride in races, being three guineas for a losing mount and five guineas for a winning mount, such fees being paid to him by Messrs. Weatherby on my account; and he was also paid by me to the end of 1884 the usual fees when I employed him, as I often did, to ride in trials for me; and he was also paid travelling expenses when he had to go from where he happened to be to other places for such purposes. In

1880 and 1881, in addition to paying him for such racing mounts, trials and expenses, I paid him a retaining fee of 100*l.* to have the call on his services after, I think, the late Joseph Dawson, who was then my trainer. These terms of employment were altered in 1882, so far as my recollection goes, by my agreeing to give him a salary or retaining fee of 300*l.* a year to have the call of his services, and this has continued down to the end of 1887, when his licence was withdrawn.' Is that correct?—Yes, perfectly.

Then you had agreed?—I did agree. I never denied that I had agreed, but at the same time I told him as a fact that I might not be able to pay him.

Who was the principal owner in the stable?—General Owen Williams had more horses in it than I had.

You would not suggest that he had as much to do with the management of the stable as you?—I had nothing to do with the management. I deny absolutely that I had any sort of management in Sherrard's stable, except the horses I owned, and Mr. Benzon's horses.

I presume you gave the benefit of your advice to other owners in the stable as well as Mr. Benzon?—Sometimes, when they asked me. I never interfered to express my opinion in any sort of way.

You generally knew what horses of other co-owners were running?—I did not know.

If Lord Lurgan had a good thing—I believe that is the popular term—you would be likely to know it?—No, I should not be certain to know. I should not know what horse he made up his mind to run in a race.

Do you not try your horses together?—Occasionally, but very seldom.

And do you not try your horses with horses outside your stable?—I never did. I never tried a horse with Lord Lurgan's horses out of the stable.

You mean to suggest you have not a pretty good idea of a horse the stable will go for in any particular race?—The stable never went for one particular horse in a race. Horses have run in my stable that I never had a shilling on. I have backed my own. My horses have run quite independently of other horses in the stable.

Well, I do not want to go into that at present. In reference

to Sherrard, what was the state of your account with him?—I was always giving him money on account.

Now tell me if this is correct, that at the end of 1883 you owed Sherrard 352*l.* 2*s.* 10*d.*?—I do not know at all. The accounts are all right. If you have got them that is sufficient.

Then I want to know whether, after these six horses had been bought in the way we have heard described, the balance you owed him at the end of 1884 had risen to 2,715*l.* 8*s.* 10½*d*?

Sir HENRY JAMES: No. If you carry it down, Sir Charles, you will see that it comes to 1,400*l.* odd.

The WITNESS: It was 1,410*l.* 9*s.* 0½*d.*

Sir CHARLES RUSSELL: Very well. In 1885 was it not 4,651*l.* 14*s.* 1*d.*?—No, 1,556*l.* 8*s.* 5*d.*

Sir HENRY JAMES: Sir Charles is taking the debit side without the credit.

Sir CHARLES RUSSELL: Then for 1886?—1,299*l.* 6*s.* 0*d.*

And 1887?—675*l.* 7*s.* 10½*d.*

That is after you paid moneys—after this trouble arose. The point is, what is the balance on the 31st of December in that year? Is it not 3,451*l.*?—The account, no doubt, was very large.

And the last payment making that balance was on the 26th of May, 1888, was it not?—I should think very likely. I had some money come to me then, that is the reason.

Now turn to the 'Racing Calendar.' You see Maiden Plate, colts 8 st. 12 lb., fillies 8 st. 9 lb. You see Lucebit there?—Yes.

Not mentioned in the betting?—Yes.

And at a weight which Wood could ride?—Yes.

Won by Mr. Hammond's Alaska, ridden by Wood?—Yes.

Alaska starting favourite?—Yes.

Your horse not mentioned in the betting?—No, not likely to be.

Did you back Lucebit?—No, I did not; he was worthless.

Did you back Alaska?—Yes, I laid 100 to 50 on the first and on the second, Barnacles. Lucebit was worthless; never won a race at all for me in his life.

This was not a selling race?—No.

Why did you run him?—I wanted to see what he could do.

Let me remind you, you had run him twice before to see what he could do?—Never in my life, I never ran him before.

He had run twice before?—Yes, exactly.

Where did you buy him?—I bought him at the Duchess of Montrose's sale, but I had bought the one who had beat him in the last race he ran before, but that was worthless too—a horse called Sexton.

Why did you buy him?—I bought him after he had run in a selling race.

I want just to call your attention to this, as you refer me to that. Will you just turn back to page 362 in that race, which was Tattersall's Selling Stakes; that is carrying 8 st. 9 lb., is it not, and it is owned by the Duchess of Montrose?—Yes, I know he did run.

And ran second to Cora?—Yes.

Receiving from Cora 9 lb.?—Yes.

Cora was a very high class mare, was she not?—Yes, she was.

Do you notice that he beats in that race Barnacles, carrying the same weight?—Yes.

And that is the last occasion, is it not, that he ran before?—No, he ran again in page 386, and the winner beat him six lengths in a canter. I bought the winner. They were both worthless.

What was that race?—A Sweepstakes of 10 sovs. each, with 100 added.

Again I must call your attention to that race. He was giving to the winner 10 lb.?—Yes.

Still the property of the Duchess?—Yes.

And he was beat by a horse that was considered a smart horse?—Absolutely worthless. I bought him in this race.

But he was considered a smart horse?—No, not at all. Lord Vivian, who was the owner, told me he was not worth *1s. 6d.* before the race.

You gave 750*l.* for him?—Yes, I did, unfortunately.

I call attention to this, that in this race you not only backed, but you gave up your jockey to ride for Hammond?—Yes, I did, because Hammond thought it was a certainty for his mare, and came and asked me to let Wood ride it.

I do not wish to disparage any jockey who is not here, and we are not obliged to bring him into court, but he was the jockey you put up?—I did not put anybody up. I told them to get the best jockey they could.

Who was the jockey?—Goater.

Goater is to be found on outside chances very often?—Yes, I suppose he is. I did not expect it to run above 200 or 300 yards.

Sir HENRY JAMES: What became of Lucebit?—I sold him to lead work. He never ran again for me. He ran once or twice, and was beaten off.

Sir CHARLES RUSSELL: What did you get for him?—300*l.*; but I said he was a very good horse to lead work, and I told the man when he was bought that he could not win a race to save his life—Count Otto Scavenius.

Sir HENRY JAMES: Would you mind, to save me going back to Lucebit: I find here a race and Mr. Scavenius's name at Windsor; Lucebit, carrying 8 st. 11lb., is not mentioned in the betting, and is not placed to Edward, carrying 9 stone 5 lb. That is the next year. He ran two or three times for Sir George before that, and never won.

Sir CHARLES RUSSELL: I think you bought the mares Kinfauns and Lovely when you bought Lucebit?—Yes, at the sale of Mr. Manton's horses. I should think a fortnight before the race we are now turning to, about the first or second week in October.

What did you pay for Kinfauns?—1,000*l.*

Lovely?—600*l.*

Had you any money to buy those horses at that time? Were you in funds at the time?—I do not know whether I was or not. I think Brewer paid for them.

He had not any interest in them?—No.

Had Lovely won races before that year?—Yes, she had won two races at the beginning of the year.

Did you try Lovely?—Not before I ran her. I had nothing to try her with.

Why did you not apply to Lord Westmorland or Mr. Peck?—There was no time to apply to people. She had been coughing, she had just got over it.

Are you sure?—I am sure when she came back to my stable she was coughing, she caught it on the way.

How long did that continue?—I could not tell how long; some days. It was not serious enough to stop her in her work. All the animals I bought were coughing.

She was quite herself again when she ran, was she?—She

looked to be quite herself, but she would not be quite up to the mark.

She was a well-bred mare, and valuable for breeding?—No.

Not for breeding?—No, she was by Alvarez.

You told me there were only one or two instances. I want to call your attention to a good many. Here again you gave up your jockey to Mr. John Hammond?—Yes.

Did you know that he was a great friend of Charles Wood?—I knew that Wood rode for him, that is all that I knew about him.

I think you said that you knew also that he had received a large present from him?—Yes. When he won the Cesarewitch and Derby he gave him 1,000*l.* each time. I have, I think, known it since. I did not know it at the time.

And what instructions did you give about getting another jockey?—I told Sherrard to get the best jockey he could.

The best jockey again turned out to be Mr. James Goater?—Yes.

I do not know whether you notice the conjunction of C. Loates, T. Loates, S. Loates, C. Wood, and J. Goater—those are the jockeys?—Yes.

100 to 1 Lovely?—That is not right. I took 20 to 1 myself.

After you had taken 20 to 1 did the horse go back to 100 to 1?—I never heard 100 to 1.

I do not know whether you could have got it, but that anybody who is not supposed to know anything could get 100 to 1?—No, because I openly said she had no chance.

Do you think it is a creditable thing to see your horse running in a race against five, and offering 100 to 1 against her?—They offered 200 to 1 about Fullerton last year.

How much did you put on Lovely?—I think I stood to win about 300*l.*, something small; it would be 20 to 1, 200 to 10, and 100 to 4.

We have heard that one of the owners in your stable was Barnard at this time, was he not?—No, he only came in 1887.

Did you back the winner in that race?—I did back it to win 100*l.*

How much had you to lay for the purpose of backing that?—I think it was 5 to 2; it was 100 to 40. They laid odds on the one that I gave up Wood to ride for.

You did not back that?—No, I did not.

Do you recollect who told you to back Glen Albyn?—No, I took it on my own responsibility. I knew it was a certainty; it had a stone in hand to Lovely.

I must ask again why you ran Lovely?—I wanted to see what she could do; I could not try her.

Still I must ask you again. I am prepared to ask you fully, what object could you serve by running Lovely to appear in the betting at 100 to 1?—If it won the race, what object was there when I backed her to win 800*l.*? I did not know they were going to lay 100 to 1 against her. I told Goater to do his best on her.

Did you tell him to win?—I did not think she would win, because I thought she had no chance of beating Glen Albyn.

Why should you run her?—Why should I keep on paying forfeits on the race? And you must remember I thought Wood was going to ride her.

Why did he not?—He wanted to ride Polaris, because he thought she had not a chance, and Polaris was a certainty.

I do not want to say anything invidious about other people who are not in question. You would not have selected Goater?—I did not mind.

Where was she?—I think she finished rather well; she finished about fourth. Goater after the race told me she ran very well.

There were five runners, and she finished fourth?—Yes.

The winner won by four lengths, two lengths between the second and third, and she finished fourth?—She and Polaris finished close together. Polaris was a hot favourite. She ran pretty well, but she died away.

Did you try her before she ran at Liverpool?—Yes.

What with?—With a lot of animals; she was beaten in her trial by several animals.

Now, will you turn to Lovely's race, five furlongs, Croxteth Cup. You were second favourite, you see?—Yes.

After Pillery. How much had you on that race on Lovely? A large sum, had you not?—No, I had 140*l.* on Lovely, at 5½ to 1, and 6 to 1 too.

You mean you got 6 to 1 for some of your money?—Yes, 50*l.*

Which of those two fields do you consider the best, the one

at Newmarket or the one here?—The one at Newmarket; the best form, certainly.

Glen Albyn?—Certainly, he was a very fast horse.

What I am puzzled about is this, how running at Newmarket she started at 100 to 1, and you did not back her for a halfpenny, you thought it right to take 6 to 1 about her here?—Because she was better. After an animal gets a cough she takes some time to get over the cough.

With very slight improvement, 100 to 1 offered?—A different class of horse. I cannot control the market.

Two different weights?—Yes, but Glen Albyn would always beat her at those weights.

Wood backed her at 100 to 1 at Newmarket; had he backed her at Liverpool?—He backed her for 10*l.* at Liverpool.

Will you turn to Kinfauns. You bought her also at a sale?—Yes.

She had not won that year before?—No, she did not win for two years afterwards.

Maid of Perth, what was the first race she ran in your colours?—That was the same day, I think.

Ditch Mile Welter, Albert Melville, 3 yrs., 9 st. 9 lb.; Mr. Douglas Baird's Man-of-War—that is not the same gentleman we have been talking about—4 yrs., 10 st.; Cohort, 4 yrs., 11 st.; Kinfauns, 3 yrs., 8 st. 12 lb.; and again here you give up your jockey?—Yes.

Had Kinfauns been coughing?—Yes.

May I take it that your description about Lovely may be taken to apply to Kinfauns?—Yes.

Stopped for a few days in its work?—Yes, no doubt.

And not perfectly fit?—Not perfectly fit.

I must again remind you, you gave up your jockey to a horse not trained in your stable?—Yes, trained in my stable.

Was he, then, trained in your stable?—Yes, he was.

And he was made favourite?—Yes, he had won a race by six lengths at the beginning of the week, I think, and he had won ten lengths at the beginning of the week—on the Monday.

I will refer to that in a moment if you think it is important. Did you back Cohort?—Yes.

How much?—I think about 80*l.*, 120*l.* to 80*l.*; he was a hot favourite.

Was Wood on?—Yes, I gave up Wood to ride him.

What instructions did you give about who was to ride your own mare?—I gave the same instructions as about Lovely. I think Goater was engaged to ride them both at the same time; so I understood.

Did you back Kinfauns?—No, not for a halfpenny.

Then you see 5 to 1 Kinfauns?—Yes.

So that you have two horses on the same day starting at 100 to 1 and 50 to 1?—It is not unnatural. I told everybody they had been coughing.

And the day before, Lucebit?—Yes, he was worthless. 500 to 1 was his proper price, I think.

That makes me puzzled all the more why you ran her. How did Kinfauns run in that race?—Rather well.

She was not placed?—No, she appeared to tire in the last 200 yards. Goater told me she ran very well for two-thirds of the distance.

That is not very useful running?—No, but I thought she would come on.

Did you try her?—Yes, and she was beaten in her trial.

What distance horse was Spectrum?—Spectrum had no distance.

Could you try six furlongs?—No, this was a mile I tried. I do not think really he had any distance. As a four-year-old he was rather a hurdle racehorse than a flat racehorse.

Then it stands thus, Kinfauns went two-thirds of the distance in that race won by Albert Melville?—Yes.

Which was what distance?—It was a mile.

Then you tried her with these two animals?—And other animals too. There were other animals in the trial.

And she was beaten?—Yes.

Did you see the trial?—No.

Did you get a report of it?—Yes, Sherrard wrote to me and told me of the report of these two trials, and I wrote back to him that I thought Lovely had no chance at Liverpool, and Kinfauns might just win.

And you had no further grounds, except the different running at Newmarket, and in this trial, in which she was first beaten?—Yes.

She was in the first race of the day?—Yes, she was.

I must call your attention to this, because Wood rides her?—Yes, Wood rides her.

Instead of Goater? She starts at 5 to 4 in a field of how many horses?—Twelve horses.

I was mistaken about the money you had on this as comparing it with Lovely. You had a large sum on this?—Yes, I had a plunge, 1,045*l*.

I must again ask you this question: Does it not strike you yourself that upon such terms as you told us, this mare, amiss as you say, not herself at Newmarket, running badly except for two parts of the distance——Three parts of the distance.

Tried, beaten, that there is a very marked and very extraordinary contrast between her starting at 50 to 1 in the small field and starting at 5 to 4 against in a large field within ten days?—I think that that is not at all remarkable in her form in the race; I think it is exactly the same; I think it is fifteen days afterwards. Go through her running for the two years. Do not go through this race alone. She did not win a race for three years, and when she did win I laid against her.

Was she yours then?—Yes, she was.

You laid against your own horse?—I laid against my own horse. I backed another one in the same race. That is the same thing. There were only three, and one had no chance.

You referred us to the *Sportsman*, I will not say as your organ, but did you not know that there were very strong comments about that race?—I dare say there were—unfair comments, I think.

Speaking of the way in which there was a rush—tumbling over one another is the expression—to bet. Did you back her yourself?—Yes, I think nearly entirely myself. Brewer backed her for some of the money, and I backed her every other bet myself.

That was a bet, I think, at 625 to 500?—I should think 500. He would put me half the money on, and I put half the money on myself. You must remember very strong orders were given about these mares to Goater. You rather insinuate that their running is different at Newmarket. I should think their run-

ning is exactly the same myself, not to prove that their running at Liverpool is one atom better than it was at Newmarket; but what I want to say is—and you can call Goater—that I gave Goater the strongest orders to ride these horses in the strongest manner, because I had given up Wood in the race.

Tell us what they were?—I said 'It is a fact these animals have been slightly amiss, but mind you do your best on them; only when you are really positive you are beaten, you are not to knock them about.'

I am not suggesting that you told him to pull them?—I wish to point it out to you.

Not to punish them?—He would have to punish them if it came to a finish, but not to needlessly abuse; in fact, I hate a jockey hitting a horse.

Who were the stewards in that year, do you recollect?—Lord Suffolk, Lord March; I do not know who the other was. Lord Zetland, I think; I am not sure.

You are aware, are you not, that they regarded the running of Kinfauns and Lovely as so suspicious that they had Goater up?—Yes, they wrote to me some time afterwards on account of these rumours.

Of course you would not know what motives were actuating them, but probably partly because of their starting friendless at Newmarket, and being apparently backed for a good deal of money at Liverpool?—Yes, I backed Lovely twice at Liverpool; she ran the second day, and she was well beaten again; but she ran rather better, because it was six furlongs, which suited her better. She was certainly 7 lb. better at six furlongs than she was at five.

Take the race as it was run at Newmarket in either case—the actual race as it was run—was there anything to warrant you in putting so much money on either of them?—Not to warrant me in doing so, I do not think there was, but I of course thought they were different animals when they were running at Liverpool. As I said, all Sherrard's geese were swans.

They were beaten in trial?—Yes, still he thought they were improved. I dare say Sherrard considered he had improved them a stone. I have no doubt Sherrard was carried away by the idea that he was a much better trainer than Arnold, and he told me the other day that a horse had improved 20 lb., which was

beaten off when she was tried. He told me this, and as an owner I was glad to hear it, and took advantage of it.

You say Sherrard is a man of sanguine disposition, who regards all his geese as swans?—Yes; but still I suffer for it. It is quite honest on his part; but I do.

You knew of that inquiry?—I knew of that inquiry because Lord March directed Weatherbys to write to me and tell me that they required to have Goater up to consider his riding on that occasion.

Did you tell the Stewards you had backed Lovely and Kinfauns at the two races at Liverpool?—I told the Steward I had backed Lovely in one race to win more money than in the other.

Sir CHARLES RUSSELL: Mr. Weatherby, will you produce the correspondence that passed on this occasion? (The same was produced.) The first letter is from Lord March to Sir George Chetwynd; it is December 1884; there is no date upon it: 'We shall have in a few days to go through the different applications for licences from the jockeys. We—that is Zetland, Suffolk, and I—talked the matter over last time we met, and decided, before granting J. Goater his licence, we should call upon him to explain his riding of Lovely and Kinfauns at Newmarket in the autumn, as the betting and performance of those horses when he rode, and when Wood rode them shortly after at Liverpool, have given rise to considerable comment. I therefore send you a line, as the horses are your property, to let you know what we have done, are going to do, or propose doing. —Yours very truly, March.' Then the next is an answer, I suppose, from Sir George Chetwynd to Lord March, dated December 30th: 'Do what you like about Goater; but I tell you beforehand that no fault is to be found with his riding the two mares in question, who had both been coughing, and, of course, the Ring knew it. Why did you not speak to me at the time? Being a member of the Jockey Club myself for so many years, I should have been the first to find fault with Goater if he had deserved it, and your present action is throwing blame on my taking no steps in the matter, simply because there were none to take.' The next is from Sir George Chetwynd to Lord March, dated the 23rd January, 1885: 'I do not know whether you have seen Goater yet on the subject of his riding my two animals,

Lovely and Kinfauns, at Newmarket; but if your interview with him is not wholly satisfactory, as ought to be the case, considering the stringent orders he received from me personally, I believe that you, the Stewards, should see me or my trainer, Sherrard, as I should not wish the slightest suspicion (however unjust) to be attached to people in my employ, or to the running of my horses; and although you, the Stewards, might have consulted me first, I naturally wish you should have every information possible that the matter may be satisfactorily cleared up. I have just seen Edward Weatherby, who tells me you do not meet until February 4th; so do not trouble to answer this until necessary.' The next is from Lord March to Sir George Chetwynd (no date, apparently): 'I have waited to answer your letter until after seeing Goater, whom we exonerate from all blame. As regards our not having said anything to you sooner than we did, we took the matter into consideration the first time we met after the Liverpool Autumn Meeting, and then lost no time in communicating with you. Although they may not have reached your ears, I am told—for I was not there myself—that some very strong comments were made at Liverpool with regard to the improvement in Lovely and Kinfauns since Newmarket, and also with regard to the different prices laid against them at the two meetings. If the same thing had occurred with regard to '—then two names are mentioned which I need not read—'if the same thing had occurred with regard to' (those persons') 'horses, would not you yourself have thought that some explanation was desirable? When Suffolk spoke to you at Newmarket you said that the Ring were laying against Goater, and not against your horses. The Ring did not, however, lay those sort of prices against Goater at other times. They were aware, no doubt, as you say, that the horses were not fit; but we (the Stewards) cannot but think that no good purpose was served by a member of the Jockey Club of some years' standing running a horse under those conditions.' Then the concluding letter is the 11th February: 'Many thanks for your letter. I am sorry the Stewards took notice of malicious comments that I treated with the contempt they deserved. I was perfectly justified in running my horse under the circumstances. A fortnight before they had come from the sale ring and were attacked with coughs. When recovered I had no horse to ascertain their

merits with at the time, as Arbaces had his work to do on the Tuesday. I therefore determined to run them, not with the view to deceive the handicapper, as I openly stated the two animals had been amiss, but that I wished to see what they could do, believing that two more good gallops and a trial would make them all right. Hammond, in one instance, and Westmorland, in the other, begged me to let off Wood, which I agreed to do, provided I could get a good jockey. My orders to Goater were to ride them right out, but not to hit them. I backed Lovely for the same amount as I did Glen Albyn.' That is not quite correct?—It is not correct. As a matter of fact, I backed her to win more than Glen Albyn.

It is not what you backed it to win, it is what you backed it for?—I backed Lovely to win as much as I did Glen Albyn.

That is not it at all. It is what you backed it for. You backed one for 14*l.*, and you backed the other for 40*l.*?—But to win 200*l.* more on Lovely.

One was a long price and the other a short price?—Yes.

'I backed Lovely for the same amount that I did Glen Albyn, who had, as he has now, quite 10 lb. in hand of her. Kinfauns, I know, had no chance of beating Cohort, though Goater said she ran fast. After a few gallops we tried them, though both were beaten, though they ran fairly in bad company at Liverpool, where The Mate gave Kinfauns 16 lb., and would have beaten her three lengths but for being tailed off at the Canal points. The gallops, trials, and races at Liverpool improved Lovely much, and she won at Shrewsbury. I have some knowledge of handicapping, and I defy anyone to prove that the Liverpool form of the two mares was more than three or four pounds better than their Houghton week form. I am not in the habit of running any horses unfit; but, with a large stable, sometimes I am obliged to, and make no secret of it. Admiral Rous and General Peel laid down that it was perfectly justifiable to do so. You, the Stewards, say no good purpose was served by my doing what I did. Perhaps when you have read this you will, at all events, agree that no possible harm was meant by the policy I pursued, which policy, under a similar emergency, I should not hesitate to pursue again, in spite of the comments of my enemies.—Yours very truly.' Let me ask two questions before the Court rises upon that. You

mentioned, and I believe quite correctly mentioned, that in the case of these horses you called the attention of the Ring to their being in an unfit condition. You said so?—Unfit condition?

You said a few minutes ago when you backed either Kinfauns or Lovely, or both, that you said that to the Ring. I asked you to recollect that you were offered more money, and you said that you probably were. Did you not say that?—I told everybody on the course that the horses had no chance.

You said, I think, that you told the Ring, and, in reference to another horse, you said you had called the handicapper's attention to it—namely, in reference to Fullerton?—I said I did call it.

I am accepting the statement. I want just to remind you of this running if a person is wicked enough or dishonest enough to do it. Running horses when they are unfit is with a view to get them lighter in weight with the handicapper in future handicaps?—Not necessarily. If he has that object, yes. How many times has one run two-year-olds in public unfit?

I said if a man was doing it unfairly, that would be the object?—It would be the object if he meant to run them on purpose to deceive the handicapper.

The expression is sometimes used to throw dust in the eyes of the handicapper?—Yes.

Major Egerton is not the only handicapper?—No. But you could not expect me to go round to every single handicapper and say, 'I am going to run this horse; it is not quite fit.' First of all, go to Lincoln, then go to Epsom, and then go down to Newmarket. You can only tell the man present at the time.

Arbaces was one of the six horses the negotiations for the sale of which began at the end of 1883 and completed at the beginning of 1884?—Yes.

Sir HENRY JAMES: I am sure my learned friend has shown every desire, as I have done, not to raise any technical objections; but let me point out that my friend is now proceeding to ask about Arbaces in respect to in-and-out running, and you will see it is not mentioned in the particulars.

Sir CHARLES RUSSELL: To begin with, as regards that, I should be entitled to ask it as going to the credit of the witness, if for no other reason, but I think it is desirable, in the interests

of both parties, that the inquiry should be thorough and complete; and if necessary to add it to the particulars I will make the formal application.

Sir HENRY JAMES: I think that is correct, and I will not object on the part of Sir George Chetwynd.

Sir CHARLES RUSSELL: The horse did not run until Goodwood?—No.

Had he won or lost his trial?—He lost his trial; he had been beaten very easily.

You gave up Wood to ride Cohort?—Yes, because I knew Arbaces had no chance at all.

Why did you run him?—It was his engagement, and I did not know what was going to run before he went to Goodwood.

You notice Cohort starts second favourite, and finished second, and your horse is not quoted in the race at all?—No, and not likely to be. I did not back it for a halfpenny.

That I understand; but you did back, did you not, the winner?—The first and second I backed.

Cohort was not in your stable at that time?—He was in Bloss's stable, where I had horses trained.

Had you any in Bloss's stable in 1884?—I am not sure, but I think I had; anyhow, I knew nothing about Cohort as far as being in the stable went with him.

You backed in that race Cohort to win you 600*l.*?—I do not know for certain, but if you have got it down I dare say that is correct. I know I backed it.

And Stockholm you backed to win you 360*l.*?—Yes, I dare say that is right.

Now I call your attention to the next time Arbaces ran.—Before having done with that race of Arbaces, I want to tell you that he had not a thousand to one chance of getting a mile to begin with, because his best course is 5 furlongs, and although he was infamously handicapped in this race he had no chance of getting a mile with a stone off.

That makes it marvellous to me, first of all, that if a horse will not go a mile, you enter him in the race at all?—No, it is not marvellous at all; I did not know what his course was before I entered him. He had never been tried before I entered him.

Having tried him, and arriving at the conclusion that he had not a thousand to one chance, why run him?—Because he had

an impossible weight to win with, and if I did not run him he would have always had that weight upon him.

You run him to show that he ought to have a lighter weight?—Yes.

That I appreciate. The object of running him was to get him in future races with a lighter weight?—I should have been very glad if he could have won, but he could not, and the object was to show that he was badly handicapped, and that he had no chance with that weight.

I do not know why you should be glad that he should have won?—I am always glad when my horses win races, even when I have lost heavily upon the race.

The next time he runs is at Kempton Park Mid-weight Handicap, and you notice there he is second favourite?—Yes.

Beaten a neck?—Yes.

Did you back him there?—A little.

I think you had 150*l.* on Arbaces?—Was it as much as that?

Yes, and 120*l.* to 100*l.* Rollo and Brayley coupled?—That shows I did not fancy Arbaces much; with only five running backing three horses.

You had on 150*l.* at 7 to 2?—Yes, but I had money on others.

You made him the best winner?—Yes, slightly.

That was 6 furlongs?—Yes, and it was beaten by Rollo, a very bad horse, that ran four times afterwards and could not win: and then, again, Brayley was only a selling plater.

Then he ran again at the same meeting?—Yes, and the next day he runs.

There he was ridden by Wood?—Yes.

Carrying 7 st. 8 lb. He is getting down in weight?—It is a different scale of handicapping from the other one.

Had you any money on there?—Yes, 41*l.* I backed him to win 450*l.* to 41*l.*

He does not run again, I think, till October?—I do not think so. I know he did not run for some time after.

I want to call attention to this race particularly—the Sunbury Mid-weight Handicap, at Kempton. Is the flat course at Kempton a severe one or not?—No; certainly not the one round the turns.

There he starts in a field of eight horses third favourite, ridden by Wood, and won by three lengths, beating Eunice, Modiste, Lowland Duke, Jubilant, Capitolina, Neruda, Gossip?—Yes.

What did you win upon that race?—1,850*l.* altogether, of which 500*l.* was for someone else. I had 250*l.* upon him, and I won 1,250*l.* for myself.

You also put 100*l.* on for somebody else?—Yes. You will see that Eunice was giving a great deal of weight, carrying 9 st. 9 lb., Arbaces carrying 7 st. 12 lb., and you must also take into consideration it was October, and the ground was softer then.

You are quite entitled to say that. Lowland Duke was a horse of some form, was he not?—Very bad form. He was a selling plater. I had him the year before and won two selling races with him, and he was giving 18 lb. to Arbaces.

I am right in saying, am I not, that this was the first occasion upon which you had had what I may call a dash upon Arbaces?—It was not at all a dash. I had 100*l.* more than when I backed him at Kempton. I had 150*l.* in the Mid-weight Handicap, and I had 250*l.* on here, and that is not a dash.

Upon the first occasion the price is much shorter than it is on the second?—Yes, upon the first occasion when I backed him the price was shorter when he could not win.

That would apparently indicate that the public were fancying him?—I am not responsible for what the public may fancy, and I do not think it depends upon that very much, but it would depend upon what I said about the horse. I have rather a number of followers who back my horses, and very often they come up and ask me if I fancy it, and it depends a great deal upon what I say the price at which the horse starts. Upon this occasion I did not go near the Ring, but only went at the last moment. I remember being in conversation with the gentleman for whom I backed the horse, and did not go to the Ring till the last moment, or I have no doubt he would have started a better favourite.

Now I think it right, as I have called attention to some of them, that I should call attention to all of these races. It is at the Newmarket Second October Meeting, and in that case he runs against Beatrice, 5 years, 7 st. 9 lb.; Glen Albyn, 8 st. 6 lb.; Leeds, 9 st. 4 lb.; Nimble, 7 st.; Arbaces, 6 st. 9 lb.; Chopine, 6 st. 7 lb. The betting is—6 to 4 Glen Albyn, 5 to 2 Leeds, 5

Beatrice, 8 Arbaces, the worst favourite?—I think I got a less price than 8. I backed him to win 500*l.* with Hibbert.

Am I right in saying that you lost 25*l.* upon that race?—I should have thought it was more than that, but I will refer to my betting-book. You are quite right; it was 500*l.* to 25*l.* I took from Hibbert.

Now contrast that performance with the next. He starts there in a field of seven horses ridden by Wood, carrying 7 st. 13 lb., and there also ran MacAlpine, 7 st. 4lb.; Dickens, 7 st. 10 lb.; Wickham, 8 st. 12 lb.; Silver Horn, 7 st. 12 lb.; Caithness, 7 st. 9 lb.; Bondage, 7 st. He is a warm favourite there, 6 to 5 against, and won by a neck, a length between second and third. Did you win 690*l.* upon that race?—Yes.

How much had you to put on to win 690*l.*?—About 500*l.*

That is six furlongs, the Bretby Stakes Course?—Yes.

He was best at five furlongs, you say?—Yes, rather better at five than six, but he was not running against Glen Albyn at this time. These were very bad horses. MacAlpine was a selling plater.

You thought he had not a thousand to one chance against Glen Albyn?—I did not think that, but I had to take into consideration the fact that a little boy had to ride him, and no small boy had ever won on him.

The little boy was Woodburn?—Quite so, but it is five years ago, and he was a much smaller boy, of course, then than he is now.

You must bear in mind that you put up Woodburn to ride 7 st. 12 lb. at Goodwood?—Yes.

And you could have had Wood?—Quite true, and I do not complain of his riding at all. You put up Tom Loates now to ride 8 st. 12 lb., and he can ride 6 st. 5 lb. He rode a horse called Donovan in the Derby.

I do not understand, and I must ask you about it, why if you tried a horse, as you say you did try Arbaces before Goodwood, and tried him badly, you should send him to Goodwood to run?—They all run to their engagements. Sherrard would have orders to take so many horses to Goodwood when the 'Calendar' came out, and even if a horse had been tried it would be sent just the same, though, of course, I should not be obliged to run him, and can make up my mind at the time.

Does it not seem odd to go to the expense of employing a jockey and sending the horse there with the expenses attending the sending him home, if you think he has no chance ?—No. I would rather know his public form than his private form. I believe more in public form than private.

How did he run at Goodwood ?—Moderately ; but he had no chance with that weight ; it was too big.

Did he show in the race at all ?—Not show to look as if he was going to win, certainly not. I should like to call attention to the fact, if you want to go right through Arbaces, to some other races he lost and I lost money on him.

In this year, 1884 ?—Yes.

You are quite entitled to do so.—He ran in the High Weight Handicap at Sandown, where Mr. Coventry rode him, and I lost 598*l.* upon him.

Where Albert Melville beat him ?—Yes, and I lost 598*l.* upon him.

I am obliged to you for calling my attention to it—that is 7 furlongs ?—Yes, we knew it was out of his course.

And a very severe finish ?—Yes, a round turn, but a severe finish.

Up hill for the last quarter of a mile ?—Not a quarter of a mile, but certainly upon the incline.

From the turn it is upon an incline the whole way with a severe finish ?—Yes, no doubt.

You thought this was a good thing ?—I relied upon the jockey, not upon the horse. I thought the only one who could beat him was Albert Melville, but it was only Mr. Heron up, and I thought Mr. Coventry would beat him.

You thought Mr. Coventry was a better rider ?—Well, I did not think about it. Mr. Heron won in a canter, though it is only put a length, and Mr. Coventry told me that Arbaces could not stay the course.

You backed him for what ?—I backed him for 598*l.*

It was odds on him ?—Yes, 15 to 8 on him.

Sir HENRY JAMES : Odds on him and Mr. Coventry coupled ? —Yes. Then he ran in the Three-year-old Handicap Sweepstakes at Newmarket, 6 furlongs. He was not in the first three ; I lost 140*l.* on him, and he started first favourite, at 2 to 1.

Sir CHARLES RUSSELL : It is a matter for argument and obser-

vation, but does it not strike you as rather a contrast to the race at Goodwood, where he was not backed for a halfpenny, and did not show in the race ?—You cannot always account for your horses not showing the same form.

Is it not rather a contrast, your having nothing upon him there and having a large sum upon him here ; these good things do not always come off ?—No, but one must bet according to one's knowledge, and what one knows about a horse.

This horse was supposed to have some form ; you sold him afterwards, did you not, for 1,100*l.* ?—Yes.

When was it you got Plantagenet ?—I bought him as a yearling at Doncaster from Mr. Watson, in 1885. He ran once as a two-year-old, and his temper was so bad—he was a horrible horse then—that we had him castrated. As a three-year-old he runs. He ran first at the Newmarket Craven of 1866, ridden by Wood.

Plantagenet does not seem quoted in the betting ?—No, he was not quoted in the betting, I should think.

Had you any bet upon the race ?—None at all.

Plantagenet is beaten a length and a neck from the winner ? —Yes, he was beaten a neck and a length.

The next time he starts is in a weight-for-age race ?—Yes, at Newmarket.

There was a field of nine, the betting was 11 to 10 against Sylvan, 9 to 2 Plantagenet. The race was won by half a length, three-quarters of a length between the second and third ; Wood riding the winner, and Archer riding Lord Durham's Sylvan, first favourite ?—Yes.

Did you back him in that race ?—Yes, I did for 100*l.*, I think.

What did you win ?—The odds were about 4½ or 5 to 1.

Sir HENRY JAMES : The amount Sir George Chetwynd won really was 580*l.*

Sir CHARLES RUSSELL : How does that performance compare with the earlier performances ?—Exactly the same.

You think so ?—Yes I do, I can prove it to you. I can prove that Plantagenet never ran a better race than when he ran in the first race, the selling race, if you would like me to do so.

I have no objection to your doing so.—In the first race where you say I did not back Plantagenet, which is true, Amalfi won and beat Plantagenet a length at even weights. If you will

turn to page 454, that is right at the end o the year, after Plantagenet had won many races——

That is going a long way.—The longer it goes the better is my proof. After Plantagenet had shown good form in the meanwhile, and had improved, and won many races, and Ripon the same, he meets Ripon in the Heath Stakes, the Dewhurst Plate course, one furlong further than the selling race, and, therefore, more suitable to Plantagenet. Ripon being ridden by George Barrett, and Plantagenet by F. Barrett.; Ripon gives him 5 lb., and beats him a neck with a good field of horses behind him, so that I say that is distinct proof that Plantagenet ran to his form with Ripon to an ounce in the selling race, where he was to be sold for 300*l.* in the spring.

I do not quite see how this event, which occurs in the Newmarket Second October Meeting, would account for your not backing him in the first race in which he ran a good horse, and yet had a large sum of money upon him in the second race ?—I did not think he was a good horse, and you must remember that the second race was a mile, and this race was T.Y.C., and Plantagenet is infinitely better at a mile than the T.Y.C.

In that race Plantagenet was ridden by F. Barrett, your own jockey riding Martinet ?—Wood could not ride 7 st. 5 lb.

I quite agree to that. As you do refer to that you thought Plantagenet could give 5 lb. to Ripon and beat him ?—No, it was the other way, I thought, inasmuch as Ripon was giving 5 lb. for the length beating, Plantagenet would be able to alter it.

I think I have expressed myself wrongly. You thought Ripon could not give 5 lb. ?—I thought 5 lb. for the length beating would enable Plantagenet to beat him.

And you backed him accordingly ?—Yes.

And the owner of Ripon was of the same opinion, I suppose, seeing that Plantagenet starts at 100 to 30, and Ripon at 6 to 1 ?—I do not know anything about that, he might have had 1,000*l.* on Ripon for all I know. Those two races I think give absolute proof that Plantagenet ran exactly up to his form in the race in which I had not sixpence on him.

I do not object at all to that diversion. Now turn to the Winkfield Welter Handicap Plate, three-quarters of a mile : your horse was second favourite, 9 to 4 ?—Yes.

What did you do upon that race ?—I won upon him. I think

I did pretty well. First of all I laid 125 to 100 on Edlington and Plantagenet, because I knew Edlington was a dangerous one, and Plantagenet beat him by a neck. The total winnings were 885*l.*, and 50*l.* to 40*l.* I laid also upon the two. I had actually on Plantagenet 320*l.*

And half of the coupled bets?—I mean I singly backed Plantagenet for 320*l.*

Wood also backed the winner, did he not?—Wood had 5*l.* on.

Sir HENRY JAMES: I hope the Arbitrators will fully understand that as to this horse it is not in the particulars. When these particulars were delivered it was not intended to charge in-and-out running in 1885.

Sir CHARLES RUSSELL: I quite agree, but I think it right to take the whole running.

Sir HENRY JAMES: I am not objecting to it upon the score of not desiring full inquiry, but I do say that when the particulars were delivered in 1888 there was no allegation of any in-and-out running as to 1886.

Mr. LOWTHER: The three-year-old running is not charged in the particulars.

Sir CHARLES RUSSELL: I quite agree that my learned friend is entitled to say it, but I think it desirable that there should be full inquiry.

Sir HENRY JAMES: I do not object.

Sir CHARLES RUSSELL: Is there any intermediate running of Plantagenet that you would like to refer to before coming to Croydon?—I should like to call attention to the fact that Edlington was giving him 12 lb. in this race, and he never won a race in the whole year. Plantagenet won by a neck, and Edlington did not win a single race during the year, although he ran upon many occasions.

I should like you to look at the next race he ran in at Harpenden, when he was badly beaten—did you back him?—Yes, for a lot of money.

Roseau there won by a length and a half, carrying 7 st. 2 lb.; Princess Victoria, who carried 6 st. 13 lb., was second, and beat Plantagenet two lengths, who was third, with 7 st. 1 lb., and Fred Barrett rode him?—I backed the horse for 330*l.* and lost it, and after the race Fred Barrett told me it was quite evident a short course did not suit him, and he was a very slow horse.

You said so before, and this was a further proof of it. Now go to page 158. There he is carrying 9 st. 4 lb. ?—Yes, a Welter race.

Amongst the horses running were Warrior, 9 st. 1 lb.; True Blue, 9 st. What did you win upon that race ?—300*l.* I backed My Boy for 20*l.*, and 5*l.* Plantagenet for Wood.

Now go to the Windsor Handicap. Plantagenet, even money; 4 to 1 Hungarian; 9 to 2 Palmistry. Won by a short head, a head each between the second, third, and fourth ?—Yes, it was a wonderful race, four horses running to short heads.

What did you win upon that race ?—362*l.* 10*s.*

Now the Oldham Welter Handicap at Manchester, a mile, that was his best distance ?—Yes.

In that race there was Lobster, who won, 8 st. 6 lb.; Low-down, 7 st. 7 lb.; Plantagenet, 8 st. 11 lb.; Syston, 8 st. 4 lb.; Shrivenham, 7 st. 13 lb.; Nelly Farran, 7 st. 8 lb.; Good Night, 7 st. 7 lb. There Plantagenet starts third favourite ?—Yes.

I am told there is an entry in your diary about it upon the 24th September, 1886 ?—You are right: 'Plantagenet beaten by Lobster. Had a few bets and lost 20*l.* upon the day.'

Now we come to page 454, which is the race won by Ripon, to which you have referred already out of order.—There was another race at Manchester, where he beat one other horse, Kingdene.

Have you any entry of the bets as to this race at page 454—you lost 165*l.*, did you not ?—Yes.

Now we go to page 484, Plantagenet wins the Mid-weight Handicap with 8 st. What had you upon Plantagenet in that race ?—I had very little on.

He was giving weight to every horse ?—Yes, I did not much fancy him, and he only won by a head. I had 110*l.* on, and should not have done that if I had not had a good meeting.

Then the next race is at page 510, and it seems to have been a very good field. Plantagenet, who won, 3 years, 7 st. 12 lb., ridden by Wood; Merry Duchess, 8 st. 5 lb., and she afterwards won the City and Suburban ?—Yes.

Then the other horses were Recluse, Kinfauns, Forio, Vermilion, Antler, Chicard, Baldur, Pinbasket. The betting was 100 to 30 against Plantagenet, and he won by four lengths. What did you win upon that race ?—I won 805*l.*

That was his distance?—Yes.

Now, page 534, the Allestree Plate: Plantagenet is favourite, but beaten by Greenwich, and it is a mile, his own distance, Cassia being a bad third. Have you any entry of any bet upon that occasion?—No, I was not present; but I sent a very heavy commission to back this horse. I was in London. Alfred Kruckenberg was down there, and put on a large sum of money for me.

Did you back anything else in the race?—No, nothing in that race.

Sir HENRY JAMES: I have it that upon that race Sir George Chetwynd lost 250*l.*

The WITNESS: I do not remember exactly, but I know I lost a great deal of money, and I thought it was more.

Sir CHARLES RUSSELL: I will take it so subject to inquiry, if necessary.—I stood to win a great deal of money, because it was 5 to 2. I stood to win 700*l.* or 800*l.*

The last race he ran was in the Final Plate at Manchester, and beaten by Sir John by a neck?—Yes.

Have you any entry of any bet upon that race?—No, I was not there, but I had 300*l.* on him.

Now turn to page 21 of the 'Calendar' for 1887. Plantagenet carries 8 st. 9 lb., and Greenwich the same weight; and the betting was 105 to 80 against Plantagenet, who won by three lengths. What did you win upon that race?—I have it here 635*l.*

Did Wood win 35*l.*?—Yes, Wood won 35*l.* If you look at it, he was sure to beat Greenwich upon the last year's running. It simply shows a repetition of that last race at Derby.

At the Trial Plate at Kempton Park I think you had a very bad race upon him?—Yes, I lost 890*l.* upon him.

Now I want to call attention to page 74, at Newmarket. The Prince of Wales' Plate, won by St. Michael, carrying 8 st. 2 lb., and giving 6 lb. to Plantagenet, the same age, who carried 7 st. 10 lb.?—Yes.

St. Michael won by a length?—Yes, and I was not the least surprised at Plantagenet being beaten by St. Michael, because he was a very smart horse. I lost 415*l.* upon that race.

Sir HENRY JAMES: Let it be noted that Wood there again lost 25*l.* Is that so?—Yes, that is so.

Sir CHARLES RUSSELL: Then the next race Plantagenet

wins?—Yes. I just got back what I lost the race before within a few pounds. Perhaps I was 50*l.* over.

Sir HENRY JAMES: And Wood had the same amount upon that race as the other?—Yes, he had 25*l.* on each race.

Sir CHARLES RUSSELL: Then the next race is at page 276—the Chesterfield Cup at Goodwood. I believe you backed him to win about 1,800*l.*, and he ran badly?—Yes, he ran badly.

Was he in the race at all?—Wood told me after the race he was exactly the same animal as Exmoor, but they both finished some distance behind Ruddigore.

What did you lose?—I had 175*l.* on Plantagenet at 9 to 1. I had 230*l.* upon the race.

Then the next is at Doncaster—a Welter Plate?—Yes.

Plantagenet was in at 9 st. 6 lb., ridden by Fagan, and Lord Lurgan had Torchlight at 8 st. 4 lb.?—Yes.

Ridden by your jockey?—Yes.

Was there any other horse in the race in your stable?—No, those were the only two.

This being a mile, how would you handicap Torchlight and Plantagenet?—We knew Torchlight was bound to beat Plantagenet. Plantagenet had no earthly chance giving Torchlight this weight.

I want to know how you would handicap them?—Plantagenet had a very bad accident since Goodwood, which I may as well mention now, but if Plantagenet were really fit and well I should think he could have given Torchlight 7 or 8 lb.

Torchlight would have 10 lb. in hand?—Yes, 9 or 10 lb.

Plantagenet being fit and well?—Yes.

You say that Plantagenet had had a bad accident?—Yes.

When was that?—After Goodwood he was put in training for the Great Ebor Handicap at York, and he got cast in his box. He was repeatedly being cast in his box—his leg was very bad and he was attended by Mr. Barrow. I had to scratch him for the Great Ebor Handicap, and then Sherrard told me he had got over the accident and I wrote and told him to bring him to Doncaster if he was well enough—in fact I left it to him.

Why was Plantagenet run then?—I sent the horse to run. I did not know Torchlight was going to run till I got to the course, and then Lord Lurgan came to me and begged me to let Wood ride him, and I said, 'Certainly, Plantagenet has no chance.'

Now the Newmarket First October, the Ditch Mile, Plantagenet an outsider?—Yes.

What did you back in that race?—Had no bet at all of any sort or kind.

There you give Wood up again?—Yes, again, at Lord Lurgan's request.

Will you just look at Brewer's account for that week; see, although you did not back it yourself, whether it was not backed by somebody else?—No, nothing was backed in this race for me, not a farthing on it. I am quite certain of it, absolutely certain of it, and I will tell you the reason why.

You will explain it, but you see that you claim in that account 962*l.* from Lord Lurgan, which would look as if Lord Lurgan had put some money on races for you?—Yes, on Abelard.

Was Plantagenet fit in that race?—He was poor looking, he was not fit. This accident had brought him down, he looked poor in flesh.

There was another horse running in that race from your stable, Mr. Benzon's Kildare?—Yes, I did not know anything about it. I had nothing to do with the management of Kildare in any sort of way. It was the only horse Mr. Benzon had in Sherrard's stable I had nothing to do with. He bought it without my knowledge, and I had never seen the horse; in fact I had not seen the horse when he ran in this race.

You say the result of that, so far as we have got on these two occasions with Plantagenet, is that your jockey is given up to another horse in the race, and you did not back your own at all?—No, I did not, or the other one either.

You said that, speaking roughly, Plantagenet at a mile was some 10 lb. better than Torchlight?—Yes.

Have you looked at its form through Andrassy?—That was Torchlight in the summer; he was much better in the winter than in the summer. You put Torchlight in July on hard ground, and at a hill; he was so much better afterwards in the winter. That was the idea I arrived at, that he was so.

This last race I am referring to is the October race.—I know, but Torchlight was much better then. The race you are referring to with Andrassy was in July, and he had thin feet; he was not good on hard ground. I must tell you that Plantagenet was

close up in this race, was fourth, and he ran exactly right in my opinion with Ruddigore, who ran ten lengths in front in the Chesterfield Cup, and here Plantagenet was close behind her.

Will you turn to page 493? There he wins by a length from Koster and Wine Sour?—Yes, they were two hurdle racers. I backed him for a lot of money.

He does alter there?—You could not say how he would be with these two horses; he might fall down and get up, and beat them. I thought he was handicapped right up to that form, and if three or four had run in that race he would not have had the slightest chance.

Is he not dropped?—No, 8 st. 7 lb. was high enough for him on his best form; 8 st. 7 lb. was the weight that he was on.

He was carrying more weight in the two last races I have referred to?—The two last races were Welter races.

What did you win there?—I won about 300*l.*, but it was an accident my winning it.

What was the accident?—The accident was this, that I heard there were only going to be two runners besides, and I telegraphed up to Brewer to back the horse for me for a certain amount in the country outright, not starting price, and Mr. Brewer used to send double the amount, and never expected to get it on. If I was to send 400*l.* away sometimes I could only net 100*l.* He sent 500*l.* this time. There was a violent storm, the wires broke down and they could not communicate with the course, and I got the whole of the money on, and I did not know it until after the race.

I think the last race of that year is the De Trafford Welter Cup at Manchester?—Yes.

There Tissaphernes won, carrying 8 st. 2 lb., A. White riding; Radius, 9 st. 11 lb., second; Andrassy, 8 st. 13 lb., third, and fourth Plantagenet, 9 st. 7 lb.?—Nowhere.

Prince Io, Quicksand, Forio, Attila, Londonderry, Chippeway, The Sage, Dan Dancer, Millstream, Hylton, Matin Bell, Mirth, Vibrate, Horton, and Ganges. Your horse starts favourite?—Yes.

$6\frac{1}{2}$ to 1?—I believe Mr. Alfred Kruckenberg put me on 100*l.* I believe he got me 8 to 1.

Sir Henry James: Page 507 is the one to compare with.—There he gave him 8 lb. Andrassy ought to have won at Liver-

pool. A stride past the post he had beaten Plantagenet. He came too late home. Andrassy beat Plantagenet two or three lengths, and before the race I wrote to Sherrard and told him Tissaphernes, Andrassy, and Plantagenet, one of the three.

Did Plantagenet run in the race?—Yes, I was not present, but Alfred Kruckenberg wrote to me and said he could not come round the turns well, he is a great long horse.

Mr. LOWTHER: Do you propose to take all the horses in the particulars *seriatim*?

Sir CHARLES RUSSELL: No, I do not. I will tell you the ones I principally intend to take. I intend to take Acmé, Gordon—one or two references to these—and Cliftonian, and then I shall have to call attention to Fullerton, and several horses which come under the partnership arrangement as to horses in the same interest, practically, running in a race.

Sir HENRY JAMES: What year is Cliftonian?

Sir CHARLES RUSSELL: 1887.

Sir HENRY JAMES: It is not in the particulars. We never heard of him.

Sir CHARLES RUSSELL: Yes, Sir George told us in the examination-in-chief about him.

Sir HENRY JAMES: He is not, I assure you, in the particulars.

Sir CHARLES RUSSELL: Page 147, Acmé. This is not a horse of yours, but it is one in Sherrard's stable.

Sir HENRY JAMES: It is Lord Lurgan's horse.

Sir CHARLES RUSSELL: Were you at the Whitsuntide meeting at Manchester?—Yes.

Did you back Acmé?—Yes.

And he beats a good field there, does he not?—Yes, a fair field. I won 500*l.* on it. I laid 70 to 40 twice and 75 to 40.

The Sandown Nursery winner, Peck-o'-Pepper, 7 st.; Goldseeker, 7 st.; Zariba, 7 st. 7 lb.; Acmé, 8 st. 12 lb.; Cassimere, 8 st. 3 lb.; Relief, 8 st.; and so on. You were not there yourself?—No, I was not; I was in Scotland. I did not have any bets at all on that race meeting, and did not know any of the horses that were going to run.

I wanted in another connection to call your attention to two things. First of all, you see Acmé, carrying 8 st. 12 lb., is ridden by Wood, Cassimere, 8 st. 3 lb., ridden by Weldon, in the same stable?—Yes.

Do you know that, as a matter of fact, Acmé was backed, starting at 4 to 1, went from bad to worse, and finally had no friends at 20 to 1?—I did not know he started at 4 to 1. I did not know that he was backed at 4 to 1 and went back.

I do not know whether you also notice that Cassimere, 8 st. 3 lb., ridden by Weldon, was not even mentioned in the betting?—I do notice it; I did not notice it at the time.

Sir HENRY JAMES: In this race at Sandown the winner carried 7 st., and Acmé 8 st. 12 lb., a difference of 26 lb.

Sir CHARLES RUSSELL: Yes, I know, between Peck-o'-Pepper and Acmé. I should like, as Sir Henry James has said that, to ask, in a match between Peck-o'-Pepper and Acmé, one carrying 7st. and the other 8 st. 12 lb., which would you back?—In this race I should have backed Acmé, but Peck-o'-Pepper I knew nothing about. I think Peck-o'-Pepper improved a stone on her running in this race to what she carried at Yarmouth a month before. Goldseeker carried 7 st.

You can hardly handicap, on their two-year-old form, Acmé and Peck-o'-Pepper?—Acmé is decidedly the superior horse of the two. I do not dispute it.

And I think you said yesterday that a good two-year-old can give an enormous amount to a bad two-year-old?—Yes, if it is all right.

I want to contrast the running, as I say it is a horse in your stable?—I asked why Acmé had run badly at Sandown when I got back. I asked Lord Lurgan. He told me he had been beaten in his trial, and I think he had been under veterinary care too. I understood him to say he had had a gallop and proved himself not in form.

Did you hear any statement made with reference to this race of Acmé at Sandown, about Acmé not trying to get off?—No, I did not.

Or nothing suspicious about the running or starting of the horse?—Nothing suspicious I ever heard.

Nothing suspicious about the starting, the running, or riding?—No, I think you mean the actual starting of the horse that was going to run in the race; but nothing suspicious about the race from start to finish.

I call your attention to the next page, 519. The weights for the Chesterfield Nursery, which is run at the Derby November

Meeting, come out, do they, after the Sandown September Meeting?—Yes, no doubt.

Look at that race, which is the Chesterfield Nursery. Lord Lurgan's Acmé by Dutch Skater, 8 st. 4 lb., C. Wood, 1; Duke of Portland's Johnny Morgan, 7 st. 10 lb., Warne, 2; Mr. Ferns' Glint, 7 st. 7 lb., Calder, 3. Then come The Shrew, 8 st. 5 lb., placed fourth; Galore, Bartizan, Rose Window, Danbydale, Bright Star, Brooklyn, Scarlet Runner, Repeater II., Polydor, Maiden Belle, the bottom weight. You would call that a very good field, would you not?—In point of numbers, yes.

But in point of quality? Johnny Morgan ran second in the Two Thousand Guineas?—Yes, he was an uncertain horse.

Galore was considered a very good horse—a favourite for the Derby?—Yes. Why, I do not know.

Shrew was a good horse?—No, she had gone off. She never won a race after two years old. From that time she never won a race.

Bartizan has won several races?—Yes.

Danbydale?—Danbydale has never won a race.

Brooklyn had some form, had he not?—Yes, some form; he is uncertain.

Maiden Belle?—I do not think much of any of the horses, if you ask me, except Johnny Morgan.

You see that Acmé was giving 8 lb. to Johnny Morgan in the same year, and starts in that field of fourteen runners 2 to 1 against?—Yes.

Won easily by three lengths, do you see that?—Yes.

Same between the second and third. How does that compare in your judgment with the running at Sandown?—This is, of course, much better form.

On that form in the Chesterfield Nursery, in your judgment as a racing man of experience, ought not Acmé to have shown, at least in that race at Sandown, better form?—Yes; why he did not show it is accounted for. No description could have been given of the reason why he did not show in the race; no doubt that is so.

Your suggestion is that the horse had a vet.?—I do not suggest anything. The explanation was satisfactory to me when I asked.

Did you back it at Derby?—50*l.* was the sum at the last moment I telegraphed to a man to put on.

Lord MARCH: We are not clear on one point. What was the explanation given to you—that the horse had been beaten before his trial at Sandown?—Yes, that the horse had been beaten before his trial at Sandown, and had been under a veterinary.

Sir CHARLES RUSSELL: You did not ask why, under those conditions, he had not been sent to the post?—No, it was no business of mine.

Did you know before, or was it after the race, this explanation which Lord Lurgan vouchsafed?—I knew nothing at all about it. I had been out of England for a fortnight. I did not know that Acmé had run until I saw it in the paper.

The state of the case is, that when Acme runs at Manchester you lay 700*l.* to 500*l.* on him the first time he came out, and you won. You, being away, did not back him at Sandown, when he was an outsider, and you did back him for a small sum at Derby?—Yes, 50*l.*

You were away from the course?—Yes.

You thought he was sufficiently good to telegraph to have him backed?—I did not know anything about it, except I heard that Lord Lurgan had tried it fairly, and I thought I would have 50*l.* on.

I again refer you to your organ—the only paper you read—I apologise to you and the paper. Did you at all notice the comments about that?—I cannot recollect that I noticed them. The probabilities are that there were comments in the paper, and I read them.

Do you know that the moment the betting was opened, and 3 to 1 was offered on the field, it was promptly taken up?—That would not astonish me, because he had won a good trial at Newmarket, and everybody knew it.

What was he tried with?—It was a chestnut horse called Juggler.

Were you not consulted by Lord Lurgan as to how Acmé was going to be tried?—No, he told me he was going to try them.

I want to ask you now, Sir George, about some of these partnership horses. You see there the Chatsworth Plate at Derby. Running from your stables there are Brighton, 9 st. 2 lb., Wood; and Lovely, 7 st. 8 lb., Loates. Do you see that Lovely there starts at a very outside price—in fact, the outsider; Brighton third favourite, and a large field?—Yes.

Was Lovely backed?—I was not present at the meeting, and do not think I backed Brighton. I did not know Lovely was going to run.

I am a little surprised at this ignorance about horses going to run. When you are not there I can understand it better.—Let me point out this ignorance of mine about this very horse, Brighton. When I was the week before at Liverpool I ran Brighton in the Croxteth Cup. Half of him belonged to Mr. Baird—Mr. Abington—and was registered. I ran Brighton solely on my responsibility, having the entire control of the horse, Mr. Baird having nothing to do with the management of any of the horses, except paying for half the cost. I ran Brighton in the Croxteth Cup, believing he had a chance to win; and I backed him for Mr. Baird and myself. Mr. Baird's own horse, Everitt, wins the race; he beats mine by a short head. I did not know Everitt was going to run, and I did not know whether Mr. Baird had backed it or not. I had backed Brighton for Mr. Baird, believing it had a good chance to win, and I had not the least idea whether he had got 10,000*l.* or 1*l.* on. I wish to point out that your idea is that Mr. Baird had been running this horse when I ran a partnership horse with him; and that I knew all about the other horse he ran; but I went to Liverpool and backed my horse, knowing nothing on earth about Everitt running.

Now I must ask you, because we differ with regard to our view of it, about the question of partnerships. In this race the public would suppose that Mr. Abington was running Lovely, presumably upon her merits, to win if she could?—Yes, no doubt.

And that Sir George Chetwynd was doing the same as regards Brighton?—Yes, no doubt.

But would not know, in fact, that Sir George Chetwynd was only half owner of Brighton, and that Mr. Abington, who was running another, was also half owner?—Quite so. I had the entire management of Brighton. Mr. Abington never had a word to say to the management of Brighton or any single horse he has had in partnership with me.

With regard to putting on money for him, have you standing authority to bet for him as you please?—Yes, most distinctly I have. I could certainly put him 500*l.* on a race if I thought the horse was sure to win, without his knowing it, but I should take

very good care of course to inform several people on the subject first of all, and to explain the position to them.

Declare it?—Declare it.

Has he any corresponding authority from you?—There is no authority in writing one way or the other.

Does he make bets for you?—He has never made a bet for me in my life.

You have not so much faith in his judgment as yours?—Well, no.

Now, I will take another partnership horse—that is Abelard. Turn to page 225 of the 'Calendar' for 1887?—I remember the race.

That is the Maiden Plate, won by Glint, carrying 8 st. 11 lb.; Venture, 8 st. 4 lb.; Redingote, 8 st. 11 lb. (all two-year-olds); Abelard, 9 st.; Freeland, 9 st.; a large field?—Yes, twenty-two runners.

Wood riding Abelard?—Yes.

When had you sold the half of this horse to Mr. Baird?—Originally, soon after I bought the two as yearlings.

You were at the Newmarket July Meeting?—Yes.

Did you back Abelard?—No, I backed nothing in that race. I tried Abelard before the race, very badly, with Sly. Shall I read it out?

Do so by all means. First of all I tried him on June 20th, 5 furlongs. Binfield carried 8 st., Wood rode him, and he won. Sly was second, 7 st. 10 lb., ridden by G. Chaloner. Abelard, 9 st., ridden by Wood. I see that I said Abelard was slow. Then brother to Rosy Morn, 9 st., Howard, 'not fit.' Anyhow, Binfield won the race by a neck, and Abelard was beaten three or four yards from the second.

Therefore that did not encourage you to back it?—No. He was a great big green horse and very slow, and this was only 5 furlongs.

You see on page 411, Abelard ridden by Warne, 7 st., Barcaldine colt 6 st. 7 lb., Faustine 6 st. 5 lb., Mainbeam 7 st. 7 lb., Goldstream 7 st. 4 lb., Primrose Dame 7 st. 2 lb., St. Alkelda 6 st. 6 lb., evens on Abelard?—Yes; 7 furlongs.

Had you tried Abelard over 7 furlongs before that race?—There is no trial in the book or written out, but he had had a satisfactory rough up.

Did not you try him on the 21st September at 5 furlongs, and did not Sly win again?—Sly won again, receiving a stone, but against Abelard I wrote, 'Not far enough.' It was only 5 furlongs.

Why did you not try him over 7 furlongs?—He was not tried regularly at 7 furlongs, but he had a rough up of over 7 furlongs to know whether he could stay. I had tried the horse at 5 furlongs, and I wanted to know if he could stay. If you send two or three horses to gallop that distance at exercise, you can see if they tire.

I call your attention to this, the form over 5 furlongs on the 21st September, and the race on the 28th September. In that field, which was a field of seven horses, he starts an even-money chance and wins by a neck, beating the colt by Barcaldine out of Chaplet, to which he is giving 10 lb. and a bad third, the bad third being Faustine, to which he was giving 9 lb. Did you back him in that race?—Yes, I did, and won 875*l.*

He was not ridden by Wood, I think?—No; he could not ride at the weight. He had 20*l.* on.

Now, I call your attention in this connection also to this: You see that there is a horse there, Mainbeam, ridden by A. White, not mentioned in the betting, and presumably not backed?—I should think not backed.

I should like to follow him up straightway. Will you go to page 522?—I should like to tell you about this race before we go to any other race, if you will allow me. I must tell you that Mr. Baird was not present at Newmarket, and did not know Abelard was going to run, and I did not know Mainbeam was going to run. I went to his commissioner, and I said, 'I am going to run Abelard in this race; I think he will just win. He is a slow, staying horse, and I am going to put Mr. Baird 500*l.* on, and therefore I declare it to you,' and I told other people in my stable I should do so. As you see, the horse won. Mr. Baird arrived the same night, or the next morning, at Newmarket, and was in a terrible state of mind to think he had nothing on.

But he had 500*l.*?—Yes, but he did not know it. He had not the faintest idea the horse was going to run.

He had 500*l.* on which you put on?—Yes, without his knowledge.

Before doing that, did you not think it prudent to ask his trainer, who was training Mainbeam for the same race, what he thought of Mainbeam's chance?—No, I never thought about it. I should have thought it very prudent if I had consulted Stevens about Everitt in that race at Liverpool, where I lost 100*l.* on Brighton.

That is not the same thing.—It is exactly the same thing. Why should I go to Gurry, and say, 'I am going to run Abelard in the race, and I think it will win'? If Mainbeam ran I did not know that Mr. Baird was going to put 500*l.* on him or not.

You had no special commission from Mr. Baird to back that horse Abelard?—No, not the least. He did not know it was going to run.

Knowing he had a horse in that race, and that horse was supposed to be running to win, would it not have been prudent, before you put on that 500*l.*, to speak to his trainer?—Well, it would, I think; but I never thought about Mainbeam. I never thought about it at all. He has a horse probably in every race.

And probably you were reassured by seeing Mainbeam was not mentioned in the betting?—Not the least; I never went near the Ring. I was not within half a mile of a betting ring half an hour before this race of Abelard, or half an hour after it.

Did not you put your money yourself on the race?—No.

Who put your money on for you?—Lord Lurgan put me 500*l.* on, Mr. Benzon put me 600*l.* on, and Alfred Kruckenberg 300*l.* Having pointed out that horse, and my having won a lot of money on him in that race, now I want to point out to you where he ran in the Champion Nursery at Kempton, and I lost 600*l.* on him, and so did Mr. Abington. I put him on 500*l.* or 600*l.* The next time he ran I lost 300*l.* on the race.

I am coming to the race with Mayo; you will see my reason in a moment. In order that we may get the contrast, if there be a contrast, I ask you to turn to page 522. In the other race it is a small field, comparatively, of seven horses; he is not mentioned in the betting, is ridden by A. White, and is not placed?—Mainbeam did not win.

Now, I call your attention to this, that in a field consisting of fifteen horses for the Friary Nursery Stakes he starts first

favourite. I do not know if you are aware that he was backed for a considerable sum of money ?—No, I am not aware of anything of the sort ; but I can quite understand he was, as I see he was first favourite.

I call your attention to this, that not being backed in the first race he starts in a field of fifteen runners first favourite at 5 to 2 ; then the next, Harpagon, 5 to 1, then 6 to 1, 8 to 1, and 100 to 8 and 100 to 7 ; there are a number of horses backed apparently. You, as an experienced racing man, would say that in a field of that size to start at so short a price would indicate that he was backed by somebody or other for a very considerable sum of money ?—No doubt he was.

Was there anything in his running with Abelard in the Second Nursery which would show he had such form as to justify backing him in the Friary Nursery ?—It is hardly fair to ask me that. I never took my eyes off Abelard in the first race ; but let me point out that the first race Mainbeam ran is 7 furlongs, and this race is 5 furlongs ; and there is an immense difference between two-year-olds over 5 and 7 furlongs, and apparently he has much less weight here.

You recollect you tried Abelard over 5 furlongs, and backed him to win ?—But not on that trial. He had rough gallops with the other horses, so that I did not do it on that ; besides, if you think a horse can stay, it is a very clever thing to try for speed.

Now kindly turn to the Champion Nursery Handicap at Kempton. You backed Abelard there ?—I did.

You thought very highly of him ?—I was deceived. After this race at Newmarket I tried him with Never, a three-year-old. Never was a thief, and she deceived me in the trial. This horse Abelard beat her. He deceived me in the trial, and made me think he was better than he was. I lost 600*l.* on the race. I put 500*l.* on for Mr. Baird, and he lost that too.

It was won by a good, or rather, a fair horse, Orbit. You observe that there is in that race Mr. Abington's Mayo, 6 st. 11 lb., ridden by Harrison. Who is Harrison ?—I have not the faintest idea. I never heard of the name till you mentioned it.

You, of course, backed Abelard, as you told us ?—Yes.

As far as you know, you did not back Mayo at all ?—I did not.

You see he is mentioned as an outsider there?—Yes, 20 to 1.

The Orleans Nursery Stake, 500 sovereigns, for two-year-olds, Mayo 6 st. 11 lb., Sandal 8 st. 10 lb., Shrew 8 st. 10 lb., Brooklyn 7 st. 12 lb., A Life's Mistake 7 st. 5 lb., Carolina 6 st. 13 lb., Bonny Boy 6 st. 12 lb., Darnley 6 st. 8 lb., and Currency 5 st. 7 lb. You see there he starts favourite in that field—a considerable field?—Yes.

Did you back it yourself?—Not a single farthing; I backed the second, Sandal.

That is form which is very different from the form Mayo showed in the first instance, when it started at the outside price and did not show in the race.—The price is different; but he is receiving a tremendous lot of weight from Sandal—2 st. all but 1 lb., and I think she ought to have won. I backed her.

You call attention, very properly, to the fact that Sandal gets a good weight; but it gets that weight in consequence of the previous bad running of Mayo?—No, in consequence of the previous good running of Sandal.

But is it not so, Sir George?—Well, yes. I should think you may say so; but I rather look to the fact of Sandal being a goodish mare at the time, getting that top weight on. The handicapper would consider the best horses first, and then the bad ones.

Now, with regard to this horse Mayo. Were you at Lewes?—I was not.

Perhaps you did not back it in that race either?—No; I had no bet on the race.

There he starts carrying 8 st. 12 lb., the top weight, giving more than 2 st. to some horses, and first favourite at 11 to 8, winning by a length and a half, three lengths between second and third?—Yes. The most weight he gave was 1 st. 11 lb. to the third.

I ask you your opinion about those two horses. They were not your horses; but I ask your opinion as an expert. Would you or not say that the running of Mainbeam was in-and-out running?—I certainly should not. Mainbeam was a horrible horse. He was a selling plater. I have a very slight knowledge of either of these horses; but I believe Mainbeam to be an impossible horse.

Would you say that the variation in the state of odds offered against Mainbeam disclosed a very striking contrast?—There is no doubt the difference of price is very great; but I believe Mainbeam to be a horrible animal, and should not think it had ever won a race.

Now, I ask you the same about Mayo. Does the price at which Mayo started in those races present a very striking contrast?—It presents a contrast, inasmuch as he was first favourite in two races, and they laid 20 to 1 in the other; but then that was a big race which Orbit won, and was 7 furlongs, and the others 5 furlongs. I do not know the merits of Mayo; but a man is not obliged to back his horse for 7 furlongs if he knows he cannot whip it the course; but when it runs to 5 furlongs, and has got speed, then he can do it, I think.

You think that it is better over 7 than over 5 furlongs?—No, better over 5 than over 7 furlongs.

Was not the Orbit race of 7 furlongs?—Yes; but there he was beaten. The two races he won were 5 furlongs.

Sir HENRY JAMES: I want, sir, to make an appeal to my friend Sir Charles Russell, and I do not object except in the sense of making an appeal to him. I have listened to his cross-examination as to Mayo and Mainbeam. Those horses do not belong to Sir George Chetwynd. He had no interest in them. They are not trained in Sherrard's stable, and they are not mentioned in the particulars. My friend has gone through them, with the knowledge of what is in the accounts of Brewer. Sir George Chetwynd never backed them, and has no interest in them of any kind or shape, but because they belonged to Mr. Baird, who trains in Sherrard's stable, he is asking about them.

Sir CHARLES RUSSELL: My friend Sir Henry James shuts his eyes to the point. The point is, that they are running in races against horses that are in the stable, one wholly owned by Mr. Abington, and the other partly owned by Mr. Abington, but running in the name of Sir George Chetwynd; and I shall hereafter certainly make observations, of the weight of which you will be the judges, as to the propriety of that course of proceeding without any declaration, and the public knowing nothing about it.

Sir HENRY JAMES: I have shut my eyes and ears to nothing.

My learned friend started two different sorts of game. As to the first he started, although it is not in the particulars of partnership horses, he started one race in which Abelard and Mayo ran, and Abelard and Mainbeam, and he then pursues to the end of the course Mainbeam and Mayo, both of them comprising, not the first race with Abelard, but comprising subsequent races, and says what do they lead to.

Sir CHARLES RUSSELL: That is the point. As it appears, there are two horses which are, in a certain sense, in conjoint interest; one horse is gone for at one time, and another is gone for at another time.

Sir HENRY JAMES: I do not want to argue this with my friend, and I am very anxious not to object; but these horses are never mentioned in this case in the particulars. When my friend asks, with respect to Mayo and Mainbeam, why they are first favourites, my friend knows Sir George Chetwynd does not own them, that they are not in the stable, and he never backed them. It is an attack on Mr. Baird, and I protest against trying here the character of anybody but Sir George Chetwynd; but if Sir Charles Russell thinks it necessary under these particulars to inquire whenever a horse started at a particular price——

Sir CHARLES RUSSELL: I suppose the speech of my learned friend is made for the purpose of ventilating a grievance.

Sir HENRY JAMES: A great grievance. My grievance is that my friend's clients have pointed out certain horses and given the particulars of them, abandon them, and without notice inquire with respect to horses of Baird, and not Sir George Chetwynd. It is a grievance which I shall rely on.

Mr. LOWTHER: I imagine, Sir Henry, the reference to these particular horses arises out of the fact that Sir George Chetwynd and Mr. Baird had other horses in partnership between them.

Sir CHARLES RUSSELL: And running in the same races.

Sir HENRY JAMES: My friend confuses the matter. I did not object when he dealt with the race of Mayo and Abelard, because he dealt there with a partnership. What I am objecting to is going into the subsequent races of Mayo and Mainbeam.

Mr. LOWTHER: But I understand that arises out of it,

because in order to make good Sir Charles's point that there was anything wrong in the first race, it is necessary to some extent to follow up the subsequent running of the animal, which was wholly Mr. Baird's.

Sir HENRY JAMES: You will excuse me, Sir, but if my appeal is no use I would rather, having the grievance, and having a great one, leave it where it is; but that is not the object of my friend's last ten or twelve questions.

Mr. LOWTHER: I hope Sir Charles will keep to following up that. We do not want to go into the running of Mr. Baird's horses.

Sir CHARLES RUSSELL: Very well. Now there are two other partnership horses with Mr. Baird that I wish to ask a question about. First, as regards Cedar, formerly called Everard, was he part owner of that?—Yes.

Then there was Freemason. Am I right in saying they ran against one another in the Craven week of this year, and that Cedar started at 50 to 1?—I should think so, they were tried together before the race. He was beaten off in the trial and in the race.

Then why was Cedar started?—I wanted to see if it was right. He was beaten off in the trial, and I wanted to see if it was correct. They were tried at the weights they were to run at.

Freemason ran in Mr. Baird's colours, I presume?—Yes.

And Cedar ran in your colours?—Cedar ran in my colours.

50 to 1 offered?—Yes, offered; and a million to 1 they might have laid.

I think there is only one other I have to ask about, that is the filly by Dutch Skater—Duchess of Parma?—That also was half Mr. Baird's.

In reference to the settlement of these matters between you and Mr. Baird, am I correct in saying that they were not settled between you on terms of payment finally arranged until after the hubbub began, and the inquiry into the running of Fullerton, and the inquiry into the running of Success?—Some of them were.

Finally settled, I mean?—Some of them were bought and paid for at the time by each of us.

But the final settlement was not. I think I can give the

exact date.—There was no final settlement. There was an agreement with me when he bought two horses for me that I should pay for them at the end of the year. He purchased two of the animals, half with me—one was Sly and the other was Abelard—but then Tattersall's pressed me for the money for my half. I could not afford to give it, and I wrote, or rather Mr. Tattersall wrote, to Mr. Baird, and asked him to buy my half of the two horses, and he agreed to do so, and I believe paid the money to Mr. Tattersall. At the Lincoln Spring Meeting of 1887 he came to me and said : 'I do not want to have the whole of these horses, because I do not wish them to run in my name, it will offend my trainer.'

Has he not about seventeen trainers ?—I do not know how many trainers he has. I know Stevens trains for him, but, anyhow, his principal trainer was Gurry. I said : 'Well, I will have half the horses so that they may run in my name, but I cannot pay for them at the present moment;' and he said, 'I shall be perfectly satisfied if you will do that.'

When was the arrangement made ?—At Lincoln Spring, in the Birdcage, in the year when the two animals were two years old—the beginning of the year 1887.

Do I understand you that up to that time you considered them his horses ?—They were his horses distinctly. They were originally taken as half his and half mine, and Tattersall's charged them to each of us, but Tattersall pressed me for the money for half of those two horses, and some other money I owed him, and I was not able to pay him the whole, and he or I wrote to Mr. Baird—it was done through Mr. Tattersall, because I wrote to Mr. Tattersall—and asked him if he would buy my half of the two-year-olds. He said he would, and paid the money. You will see from Tattersall's account, the beginning of the year 1887 I should think it is certain to be. Mr. Tattersall will prove all this if you wish to know it.

I accept your statement about it. Let me see the receipt which passed between you and Mr. Baird when there was this settlement ?—Yes.

(Handing same to the learned Counsel.)

Is this your writing ?—The receipt is my writing.

And Mr. Baird's signature ?—Yes.

I will read it, 'Received this 11th day of January, 1888,

from Sir George Chetwynd, Bart., the sum of 218*l.* 18*s.* 5*d.* in full discharge of all claims on him to date, including my purchase from him to-day of his half of Whitefriar and Brighton, his payment to me of his half of Abelard and Sly, and my half of Sherrard's training bill for those horses for the years 1886 and 1887, and including money won for me in bets by Sir George Chetwynd.—G. A. Baird.' That purports to be a clearing up of all matters, including bets and so forth ?—It was including one sum that I owed him.

Were these horses during the whole of that time running in your name ?—Certainly, and registered as my property and Mr. Baird's—most distinctly.

But as far as your payment was concerned, though bought as yearlings in 1886, you in fact paid nothing until this date—this all-important date—of the 11th of January, 1888 ?—You must remember when I bought them in 1886 they were bought for myself, Tattersall's naturally giving me credit for them; and they had nothing to do with Mr. Baird until I asked him to have half of them, and that was only in the beginning of the next year.

Then as far as Tattersall's account is concerned they would be in your name ?—Yes, and they were all entered in my name; and on the 9th of January, 1887, I wrote to Mr. Baird, and asked him to have half with me, and here is his letter. Would you like to see it ?

Yes. (Letter handed to learned Counsel.) It is the letter in which Mr. Baird says: 'I will have the two-year-olds' ?—Yes.

And he paid you the half then ?—No, he did not. That was a settlement with Tattersall.

It stands thus, as long as they were running at this date they ran in your name, though in partnership ?—Yes.

In reference to the two other horses that are mentioned in that receipt, you bought Whitefriar, I think, out of a selling race for 820*l.* ?—Yes.

When was it you sold it to Mr. Baird ?—That day, half an hour after I bought it.

How were you paid for it ?—Through Mr. Weatherby.

Through his private account at Weatherby's ?—I paid for my half and he paid for his. I did not know how he paid for his half.

Then as regards Brighton?—He paid for the whole of it. He bought it for himself to start with. I must tell you Mr. Hungerford had had a very bad week at Newmarket, and he came to Sherrard and was in a fearful state of mind, and said it was utterly impossible he could settle his account unless he sold Monsieur de Paris and Brighton. Sherrard came to me and said he was anxious for me to buy Brighton, as he wanted it not to leave the stable. I said, 'I cannot buy the horse.' He said, 'Do you know anybody who would?' I said, 'You had better go and see Mr. Baird,' and he saw him, and Mr. Baird said he would buy the horse, and wrote a cheque for the money and sent it up. In order that Mr. Hungerford might settle his account at Tattersall's on the Monday, I sent him a cheque for the money until Mr. Baird's cheque came, which did not come till Monday or afterwards. Mr. Baird, when he got the horse for himself, said he did not wish this horse to leave Sherrard's stable, on account of his other trainer, Gurry, and therefore he agreed to let me have half the horse, and I was to pay him when I liked. I registered the horse before he ran, of course, and had the sole control and management of him. This would be at the end of 1886, and I did not pay for the horse until the receipt was given at the end of 1887.

Brighton was a transaction in 1886?—It was at the end of 1886, within two months of the end of the racing season. It was in the Houghton Meeting.

It therefore comes practically to this, that as regards Abelard, Sly, and Brighton, you had paid nothing in respect of any of those three, although entered and running in your name, down to the 11th January, 1888?—And registered at Weatherby's with the half accounts, forfeits, and everything charged to me, and no concealment whatever about it, and the trainer's bill also, which I paid myself. I paid the trainer's bill for the whole of the horses.

Mr. LOWTHER: I understand, Sir Charles, you are now alluding to three horses.

Sir CHARLES RUSSELL: Yes; Abelard, Sly, and Brighton.

Mr. LOWTHER: Not Whitefriar.

Sir CHARLES RUSSELL: Not Whitefriar. (To Witness:) I am putting it to you, Sir George, whether the result is not

that, as regards these three horses, although they were registered in partnership with Mr. Baird, though they ran in your name, though they were entered in races in your name and ran in your colours, you did not, in fact, pay anything for them until the 11th January, 1888?—Certainly, I was paying every week for them. I paid the whole of their training expenses, but I did not pay their purchase-money.

Now with reference to the other horse, Portnellan, I am particularly anxious to get the fact, Sir George—that horse was bought when?—It was bought at Derby, in the November meeting.

Were you there?—No. Wood told Mr. Blake to buy it for me.

When it was mentioned to you, you said you had not the money to pay for it?—I did. I had, as a matter of fact, at the time, 300*l.* only at Weatherby's, and nothing at my bank. I could not write a cheque, and I knew that my having to pay this 300*l.* for Portnellan cleared me out.

But you said quite openly to Wood, 'I cannot afford to pay it, I have no money'?—Yes. I was rather cross about it; I had just had a bad race on a horse of mine, so that I was not in a very good temper.

Then, as I understand, Wood said that he would lend you the money?—He sent me a cheque by letter; at that moment he said to me, 'I will lend you the money.'

And before the cheque arrived you knew the fact (you mentioned it yesterday) that Messrs. Weatherby had in fact paid for the horse?—I do not know when they paid for it, I am sure. I knew if a horse was knocked down to me they would have to pay for it.

Sir HENRY JAMES: *Here* is the cheque (handing same to Sir Charles Russell).

Sir CHARLES RUSSELL: The cheque is dated 19th November, 1886, on Messrs. Hammond's bank at Newmarket, for 315*l.* in favour of Sir George Chetwynd. At that time, of course, Wood could not own a horse consistently with the existing regulations?—No, he could not.

If Wood was to buy this horse for himself, what he would have done would have been to have sent you the cheque?—I do not know, I am sure.

Can you suggest any way in which the transaction would be carried out without that?—He would not have sent it to me, of course.

He could not have the horse in his own name?—No. You want to suggest it was his horse running in my name.

I do not want to suggest anything.—But that is what it comes to.

I will suggest presently, when addressing the Court, but at present I want to know the facts. Would you look to see what you did draw out of your account on the 21st November, or whether you drew anything out?—Yes, 359*l.* 10*s.*

On what date?—On the 24th November. Whatever the day is put down here, it was to settle my account. That is the cheque drawn to Brewer. I lost 659*l.* 10*s.* at Northampton, and I paid this cheque into my bank, not being able to overdraw. I did overdraw 40*l.* to make it 359*l.* 10*s.*, and Brewer paid the 300*l.* for me himself.

Do I rightly understand you to say that you forgot this or overlooked it?—Overlooked what?

The paying Wood back again?—No, I did not overlook it. I suggested to him several times I should pay him, and he said to me, 'Do pay Sherrard, he is in want of it more than I am.'

You were indebted largely to Sherrard?—Certainly, to both of them. I owed them both money. I have never hesitated to tell you I have been most impecunious.

What particular direction did you give about paying this?—I gave no actual direction, but I told Brewer I wanted to pay Sherrard and Wood about 300*l.* each, and I hoped I should be able to do it through my account.

Will you produce Wood's letter of the 31st January, 1888, to Sir George Chetwynd. (Letter produced and handed to Sir Charles Russell.) This is the cheque I mean: 'I received the cheque of Mr. Brewer, value 315*l.*, I lent you. There was no immediate hurry, as I was not in want of it, or I should have written.' That is the cheque I am asking about—Mr. Brewer's cheque. It may be a mere coincidence, Sir George, but I would ask you, do you allege that it was—these steps you had taken, first of all, to make a payment in reduction of considerable indebtedness to your trainer, and next the repayment of a considerable sum—300*l.* odd—in respect of the price of this horse, which had

been advanced by Wood, and the settlement as to these partnership horses, and ending the partnership with Mr. Baird, and the payment on account of Wood's claims upon you, which only, however, came up to 1884? I put this to you in order that you may meet it. Were those several transactions mere coincidences, or did you then busy yourself to make those payments and those arrangements because of the public criticism which was then imminent into your relations with those persons?—No; how could I have paid them if I had not had the money? I had the money at the time, and so that is why I paid them. As a matter of fact, I did not pay Wood's large account, which amounted to 900*l.*, until July of last year, because I had not the money to pay it.

It is no pleasure in the least for me to press you about this, but I must ask you about this. Did not you, in fact, borrow money to make these payments?—No, not to make these payments. I think I paid most of them out of what Weatherby sent me.

Did you not borrow money, without which you could not have made all these payments?—Well, I do not say that. I am very constantly in the habit of borrowing money, I am sorry to say, for three months. I think Weatherby's paid me a large sum at the end of that year; I am not sure.

Just look and see.—There is a balance to me at the end of the year of 1,896*l.*, and of that sum he sent me certainly 1,700*l.* I think the actual sum was 1,700*l.* We can see in the bank-book.

Sir HENRY JAMES: This (producing document) is the account of Weatherby, showing a balance in his favour of 1,896*l.*

Sir CHARLES RUSSELL: The point is when that is carried over?—I know I drew it.

I want to get from you this—supposing that Mr. Weatherby had paid you a large sum, it would be by cheque?—Certainly.

In the ordinary course that cheque would pass through your private account?—Certainly.

And you do not find any trace of it?—I should think it would be in there. He will tell us how much he paid.

Although there is no credit as coming from Weatherby, there does appear here the payment to Wood of the 500*l.*?—Yes, I paid him 500*l.*

Also a payment to Sherrard, and also a payment to Baird? —Yes.

And all in the month of January?—Yes, and I am certain made by Weatherby's cheque, made by the money Weatherby paid in. I should leave some of it in Weatherby's hands in payment of forfeits for the next year. I have an idea Mr. Weatherby sent me a cheque. Here it is, I see. There is a name down, but it is badly put. It is my banker's fault, and not my fault. There is a cheque of 1,700*l.* from Weatherby, paid in, and a cheque for 103*l.* from Garrard, which makes 1,803*l.* paid in on that date.

I want to ask you about this celebrated horse Fullerton. You heard Sir Henry James, in his opening statement, say that nobody would accuse Lord Dudley of running his horse improperly, and referred to last year. Is it not the opinion of the best judges that his best running was run this year?—One race. His best and his worst race.

At all events, his best was run this year?—Yes, I think it was.

When he was second in the City and Suburban. Let me ask you about that: you have talked about the heavy ground at Lincoln; was not the ground heavy in the City and Suburban? —Heavy for Epsom, but that is not heavy ground. No doubt it was on the soft side, but quite different from the deep clayey ground which they have to run in at Manchester and Lincoln.

The soft ground was not reserved for Fullerton at Lincoln? —It is always deep at Lincoln in the spring.

And very heavy ground generally at Manchester in the spring?—Yes, very heavy, I should think; it is a very curious course.

Heavy ground would not make, in your estimation of Fullerton, the difference between backing him and not backing him? You were told at Lincoln by Wood that the horse was going very well until he got into the new ground?—Yes, that new ground would not mean heavy ground so much as clayey ground, sticky ground, where a horse goes right in.

Nevertheless, you had more money on at Manchester than you had upon him at Lincoln?—I had, but there it had been falling with rain. Still, I thought he would beat King Monmouth in that race, because he had beaten King Monmouth in

the Manchester Cup a mile and three-quarters, when the going was good, and I knew Fullerton from that race could not stay the distance.

I wish to convey to you that, in reference to this running of Fullerton in 1887, I am not going to at all suggest that you did not back your horse, and did not mean your horse to win as you did back him, but I wish to ask your close attention, and I come particularly to 1887 to the riding of this horse. Now, first as regards 1886, you bought Fullerton in 1885 ?—Yes.

For 1,500*l.* ?—Yes.

He had a good, creditable two-year-old record ?—One race I bought him on only. Other races were not creditable.

You judge a horse by his best performance ?—Yes.

I want to go through this running, and you, sir, will be relieved when I say this is the only horse whose running I intend to trouble you with in detail. I think he first runs, does he not, in the Fourth Welter, page 83 in the 'Calendar,' of 1886 ? Had you tried him before he ran after you bought him ?—Yes.

What date ?—It is no date—it would be towards the end of 1885, the end of the Newmarket meetings in 1885, two-year-old, after he had run at Leicester, I tried him a mile on the Lime Kilns. Spread Eagle carried 7 st. 7 lb., Fullerton carried 9 st. 9 lb., and Pampas Grass carried 7 st. 7 lb.—all two-year-olds—and he was not fit. Spread Eagle won in a canter by I do not know how many lengths. In fact, I re-handicapped them at a stone at least.

You were there trying Fullerton to give 17 lb. ?—To a bare selling-plater, and he was beaten six lengths, and after that trial I was so disgusted with him that I thought I had made a bad bargain.

Now the horse runs next after that at the Newmarket Spring Meeting ?—Yes.

And runs, I think, on Friday : that would be the 30th. Economist, by the Miser, 4 years, 7 st. 5 lb.; Ripon, 3 years, 7 st. 7 lb.; Cintra, 4 years, 9 st. 5 lb.; Fullerton, 3 years, 9 st.; Lady's Maid, 3 years, 8 st. 8 lb.; Dalesman, Merriment, Silversmith and Gules ; Dalesman favourite ; Economist, Ripon, and Gules, second favourite ; 6 to 1 Ladysmaid, 8 to 1 Merriment, 100 to 12 Cintra, 10 to 1 Silversmith and Fullerton. Gules won, apparently, but was disqualified ?—Yes.

You did not back Fullerton there?—No, he was not fit. I had no bet on the race.

You see he is handicapped there upon his two-year-old form at 9 st., you see he is the top weight?—Yes.

When did he run next?—He ran next in the Stewards' Cup at Goodwood.

Was he tried before that?—He was tried many times before that.

We will have them all?—On May 22nd, 1886, Rowley Mile, Giesshubler carried 7 st. 3 lb., Howard rode it; Periosteum, 7 st. 4 lb., Tomlinson; Fullerton, 9 st. 7 lb., Wood; Vicious, 6 st., Barker: Giesshubler first.

Giesshubler was then a four-year-old?—Yes, Giesshubler wss a four-year-old.

You were trying Fullerton there to give 32 lb. and a year?—2 st. 4 lb.

He won there?—Giesshubler won all the way in a canter.

The next?—The next was on May 31st, across the flat, a mile and three-quarters. Giesshubler carried 7 st. 8 lb., Kinfauns carried 7 st. 6 lb., Hambletonian carried 9 st. 1 lb., and Fullerton carried 9 st. 1 lb. Hambletonian won in a canter really. He did not actually pass the post, but he did win in a canter. Giesshubler actually finished in front, and it again made out Fullerton to be about 5 lb. or 6 lb. better than Giesshubler.

I gather from your observation that it does not follow that the horse that comes first in at the trial is the best?—In this instance the General said he did not wish his horse Hambletonian to win the trial. If it ran he did not wish it to finish on account of the touts.

I gather from that, that those who are riding in a race, especially the jockey, may very well be able to judge which is the best horse in the trial, although that horse may not for one reason or another be allowed to finish?—If he rides it himself.

Or even if he rides alongside it and knows the man who is riding it?—That would be more difficult.

Now, the next trial?—The next trial was July 9th across the flat again, a mile and a quarter. It was very hard going. Spread Eagle carried 7 st. 12 lb., Howard rode it; Fullerton 9 st. 5 lb., Grimes; Plantagenet 8 st. 7 lb., Wood. Spread Eagle won anyhow again, beat Fullerton a very long distance,

and Plantagenet could not go at all on account of the very hard ground. I have made a remark about the trial, 'Very hard; Plantagenet could not go at all, and Fullerton tired.'

Then up to this time you have tried him at a mile, and a mile and a quarter?—I tried him at a mile, and a mile and a quarter. I was present at all these trials, but on the 24th July at this Stewards' Cup trial I was not there—six furlongs.

This one you are now mentioning?—Yes, the one I am going to mention, the 24th July, six furlongs of T.Y.C., Monsieur de Paris, 5 st. 9 lb., first. He of course was put in with a light weight to make the running, and won the trial. Hambletonian, 8 st. 6 lb., second, Wood rode; Gordon, 8 st. 5 lb., third; Kingwood, 9 st. 7 lb., Grimes, fourth; and Fullerton, 7 st. 7 lb., Howard, last. Monsieur de Paris won anyhow, with a stone in hand, which he would do with 5 st. 9 lb. on. Hambletonian was second, and gave Gordon a 10 lb. beating; Kingwood finished a neck behind Gordon, and Fullerton was last all the way. I re-handicapped them, except Monsieur de Paris, that was put in to win the trial; Hambletonian, 8 st. 6 lb.; Gordon, 7 st. 9 lb.; he was not in very good form; then Kingwood, 8 st. 9 lb., and Fullerton, 6 st. 7 lb.

That is not a fresh trial at those weights?—No, my handicap of this trial.

I observe you say Monsieur de Paris was put in to win the trial?—Yes, he was an old horse.

We have heard it said a trial is worth nothing unless your horse wins the trial?—Not when you put a good horse in to win the trial like this.

That does not meet with general acceptance?—You could not expect these horses to beat Monsieur de Paris at this weight.

I thought you were supposed not to get the real measure of your horse until you got it to win a trial.

Mr. LOWTHER: That scarcely follows, does it?

Sir CHARLES RUSSELL: Would putting a horse like Monsieur de Paris, an old horse with a light weight, give you any line at all for Fullerton?—Not as far as Fullerton and he were concerned, but I forgot to tell you that all these other horses were in the Stewards' Cup, and were tried. Hambletonian, Gordon, Kingwood, and Fullerton were all tried at the weights.

According to the trial, Hambletonian had the best chance, Gordon next, Kingwood next, and Fullerton next?—Yes.

In reference to that race for which this trial came off, according to that trial he had no ghost of a chance at all?—He had no chance of beating Hambletonian, none at all.

Did you consider he had any chance whatever of winning the Stewards' Cup?—No, I do not think he had.

Why did you send Fullerton to run in the Stewards' Cup?—Because I had given orders for him to run before the trial.

Why could you not countermand them?—I do not think I had time even. We tried on the 24th July.

And the race is on the 27th?—We tried on the Saturday and of course the horses were sent to Goodwood on the Monday morning.

There was lots of time?—I did not hear about it until Monday morning. I had a telegram giving an outline of the trial. They did not put the particulars, and on Monday morning I should get a letter saying what had happened.

Did I gather, from the statement you made of the horses and riders at these trials, that on two occasions Howard ran Fullerton?—Howard rode Fullerton in the Cup trial, and he rode Spread Eagle in the trial before that, when it won. I do not remember any other time that he rode. I see his name is down only on those two occasions.

Lord MARCH: Who were present at that trial besides the touts?—Sherrard, I do not know who else.

Sir CHARLES RUSSELL: You backed Hambletonian in the race principally?—I backed Hambletonian for 144*l.*, or something like that.

Who is Howard?—Howard is a stable lad in Sherrard's stable.

So that you had running from the stable in that race Brighton, Hambletonian, and Fullerton?—They were running those three horses, and I backed a lot of other horses in the Stewards' Cup besides Hambletonian, including Fullerton.

What were the others you backed?—I backed Mellifont, Cardinal Wolsey, Melton, Present Times, Master Jones, and Fullerton.

Was not that a lot against the field?—Yes, exactly. I backed Mellifont, Cardinal Wolsey, Melton, and Present Times, taking

2½ to 2, and I then took 250 to 20 Master Jones, 200 to 20 Hambletonian, 1,000 to 20 Fullerton (R. Lee), 400 to 50 Hambletonian, 400 to 50 Hambletonian, 375 to 50 Hambletonian, 160 to 20 Hambletonian, and 230 to 45 Hambletonian; so that I had 144*l.* on Hambletonian.

In other words you lost above 400*l.* in the race, on which 20*l.* was backed on Fullerton?—Yes, I backed him to win more than that, I had 144*l.* on Hambletonian.

Who employed the jockey to ride Fullerton in that race?—I did—Howard.

You probably yourself did not give any directions about the race, you left that to your trainer?—Yes, I do not think he would give any directions except to jump off, that is all. You would not tell a little boy to do anything else, you would not give any particular directions in a race of that sort.

Did you ever happen to ask Sherrard what directions he did give?—Yes. He told me he told the boy to get off and do the best he could.

Did you ask Howard himself anything about it?—No, I did not ask him after the race about the horse.

I will ask you as to that in a moment. When this action was coming on did you bring Howard up to town?—I had nothing to do with Wood's action.

You were naturally interested in it?—Yes, I was, but nothing to do with the management of it in any sort of way. I brought nobody.

Did Fullerton show in the race?—Not in the Stewards' Cup, he did not.

That race, the Stewards' Cup, I think is only six furlongs?—Yes.

He did not show at all in that race?—No, I saw him myself on the other side of the course, running very badly.

I think you said his best distance was a mile?—Yes, as a four-year-old.

And as a three-year-old?—He was only trained for five furlongs as a three-year-old.

You tried him over a mile and a mile and a quarter?—I did, and I gave it up as a bad job. I directed he should be only trained for a short course.

Mr. LOWTHER: I understand the T.Y.C. at Goodwood is a measured six furlongs.

Sir CHARLES RUSSELL : I think generally the other T.Y.C.'s are six furlongs.

Mr. LOWTHER : They vary; the one at Newmarket is less. Many of them are given in the 'Calendar.' This, I think, is six exactly.

Sir CHARLES RUSSELL : He was carrying 7 st. 2 lb. in that race?—Yes.

Will you turn to the next race, that is the Craven Course, what distance is that?—That is a mile and a quarter. He had run badly in the first race, carrying 7 st. 2 lb. He has in this race 6 st. 10 lb.

Why did you run him in this mile and a quarter race?—He was entered in the race, and I wanted to see what he could do in a mile and a quarter. I said, 'He has run very horribly, shall I run him in the Chesterfield Cup?' Sherrard said, 'You can do as you please; I will have him up to run.'

Did you fancy him for the Chesterfield Cup?—No. I backed the second for 12 sovereigns, because I knew he had a stone in hand of Fullerton, according to the Stewards' Cup running.

Why were you anxious to back him a second time?—I gave 1,500*l.* for the horse, and I did not want him to win without having something on.

You thought he had not the ghost of a chance?—They win sometimes when you think they have not a ghost of a chance. I had 12*l.* on How's That, who I thought was likely to beat him.

Your stakes upon the other races were Theodore 50*l.*?—Yes.

And 1,000 to 20 about Fullerton?—Yes.

You said, I believe, and correctly said, that you trusted your own eyes in a race beyond anybody else's?—Yes.

You are a good judge of racing?—A fair judge.

I do want to ask you particularly about this second race. How did Fullerton run?—He ran very well.

Melton was running in that race?—Yes, he was, but he carried 10 st. 6lb.—a fearful weight.

Did you hear from anyone, or were you aware, that Archer, who was riding Melton, complained that Fullerton, by running out at the bend, had taken Melton out with him, and had destroyed his chance?—No, I never heard one single word about it till now.

Who rode the winner in the Chesterfield Cup?—Wood. Wood rode Saraband.

I think there was no other horse of your stable in that race except Fullerton?—No, I think not.

Sir HENRY JAMES: Wood could not ride Fullerton?

Sir CHARLES RUSSELL: Oh, no.

What was your opinion of Fullerton after that race?—I thought he had run very well in the race; so much so that I thought he could have been third in the race, and I went and blew the boy up the moment he came in.

What did he say?—He said he tired. I was very angry with him.

Why?—Because I thought he had not ridden him out, and could have been third.

Was there any place betting upon him?—No, but you expect a little boy to ride a horse right out, and see what he can do. I went to him directly after the race and said, 'Why the devil did not you ride the horse out?'

Won by a length I think the record is?—Won easily by a length and a half, four lengths between second and third, and Lisbon and Fullerton finished together.

Is that your opinion?—I know it. It is returned so by McCall; but I saw it myself.

Why did you wish the boy to ride Fullerton out because he could not win?—I do not know. I thought it was much better he should.

To give the public and the handicapper a better appreciation?—No, Howard is not a good finisher. He did the same thing before on a horse of mine, and he was beaten by a short head, Pampas Grass. I thought he should have done it then. I said, 'Why on earth did you not ride him out?' and he said the horse tired with him.

Might I ask about the Chesterfield Cup? On the occasion of this race did you give any orders or leave it to Sherrard?—No, I came too late. I was at luncheon on the lawn, and I ran through the enclosure and got into the Birdcage, where the horses are, and I found they had then gone out, and I met Sherrard at the end of the paddock. The horses had all gone down to the post.

Mr. LOWTHER: There is one thing that requires clearing up that arose yesterday. It is with regard to the notice of the

Stewards with respect to jockeys betting. There was some little confusion as to the dates when the respective notices were issued. I find, and I wish you to correct this for yourselves, that the notice prohibiting jockeys betting largely, I am told, first appeared in December 1883. The amended notice omitting the word 'largely,' and in other respects varying the text, but substantially only altering it in that respect, and making it a prohibition against all betting, did not appear until December 1887; consequently Sir George Chetwynd's bets on behalf of Wood in comparatively small sums were all while the first notice was in operation. That was not made quite clear last night.

The WITNESS: I should like also to mention that after I had asked Mr. Lowther about my betting for Wood at the end of 1887, he told me of the second notice, and from that moment I have never had a bet for any jockey.

Mr. LOWTHER: The second notice was not published until December 1887.

The WITNESS: I did not know until you told me about the second notice.

Sir CHARLES RUSSELL: We had got to the end of the running of Fullerton, I think, in 1886. With regard to the running in 1887 there is no suggestion, as far as it rested with you, that you did not mean the horse should win, and no doubt you backed him; but I do wish to ask about the peculiarity of the horse's running for the purpose of seeing whether you made any inquiry, or whether your attention was excited at all. In the Lincoln Handicap, Fullerton carried 7 st. 10 lb. ?—Yes.

The Lincoln Handicap is generally a large field—did he come to 4 to 1 ?—Yes, I think so; about a week before the race, or perhaps ten days before the race, and after a trial.

Did he finally start at 10 to 1 offered ?—Yes, finally he started at 10 to 1, but I do not know whether it was offered. I did not inquire about his price at the moment, because I had done my betting.

Was there anything that you knew of to account for his going back in the betting ?—No, excepting that I had no great amount of confidence in his winning. I mean I did not think he was sure to win, although I told my friends I thought he had a fair chance, and I told them of the trial.

Do you not know that the bookmakers refused to hedge at

any price?—No, I do not know that, because one bookmaker hedged for me the day before the race.

I am talking of the day of the race?—No, I do not know anything at all about the betting.

You said something, I think, about the horse having had a chill?—Yes, he had a chill ten days or a fortnight before the race. He had been out a very cold morning, and caught a slight chill; in fact he was what is called 'set fast.'

Was it mentioned in the training reports that he had not done his gallop?—Yes, certainly, that he only walked upon the Sunday morning.

He ran badly in the race?—Well, he ran unluckily, I think; I do not think he ran badly. He appeared to be hopelessly beaten half a mile from home, and then began rapidly to make up his ground.

You attributed that to his not being able to get through the new ground, as you call it?—Yes.

The other horses had to do the same?—Some horses will go in deep ground, others will not.

Where do you say he finished?—I thought he was going to be third, but Wood eased him before he passed the post. He actually finished seventh according to McCall.

I must ask you this: Did you not see what I might call ominous comments in the press about the market status of Fullerton?—No, I did not.

Did you see, for instance, this comment in the *Sportsman*: 'The effort to keep Fullerton in his place for the Lincolnshire Handicap was indeed weak. Early on it seemed as if Sir George Chetwynd's colt would return to favour when we saw 9 to 1 and 100 to 12 booked; but subsequently the layers were masters of the situation, for after 9 to 1 was offered to money, he left off friendless at a point more. It would only be misleading to say that anything noteworthy occurred on the future this afternoon. 20*l.*, however, went on Isobar at 10 to 1 for the Lincolnshire Handicap, and he was unquestionably in better request than Fullerton, against whom 10 to 1 was shouted in every direction?'—I do not call that anything wonderful, because I can quite understand it from my not having any great confidence in the horse. I could not go to my friends and say, 'I think this horse is sure to win, and I think you had better have your 50*l.* on it.'

All I said was, 'I rely upon the horse as being extremely fit to win the race, and I rely upon his being 18 lb. better than Giesshubler.'

Then here, again, is another comment in the *Sporting Life*: 'Betting on the Lincolnshire Handicap this afternoon has been confirmatory of the views already expressed in these columns. I am afraid that the Fullerton case is serious, although it is satisfactory to know that the horse was ridden a mile gallop to-day on the Cambridgeshire Hill by C. Wood.'

Sir HENRY JAMES: 'Case' there means condition, I suppose?—That was after he had been set fast.

Sir CHARLES RUSSELL: The paragraph proceeds: 'Fulmen continued to increase in favouritism for the Lincolnshire Handicap, the opening quotation of 6 to 1 being ultimately reduced by half a point. This reduction of the odds offered on the field was to some extent traceable to the unsteadiness of Fullerton, who was once more under suspicion, and closed at 10 to 1 "offered," after 100 to 9 had been a few times laid.' Then, again, the day after the race, there is this comment in the *Sportsman*, of March 24th: 'The market changes of the afternoon were important, and to the dismay of Fullerton's many backers he went very badly indeed in the Ring, although he finished up at 10 to 1. For that unexpected decline I am quite unable to account, as the horse was stated, by those who must have been properly informed, to be perfectly well and very likely to win. Moreover, when brought on to the course and despatched to the starting post, his appearance and the style in which he moved gave great satisfaction. Fullerton's display—to my eyes he never looked dangerous—was undoubtedly a source of vast chagrin to many; but, although disappointed at his failure, I shall not on that account desert him.' Then the race is given, and I want to see how far this agrees with your own recollection for the purpose of contrasting it with his subsequent running: 'After three failures the flag fell to a fair start, and, as soon as they had settled down, Castor, on the outside, took a length lead of Middlethorpe, and Fulmen on the other. They were immediately followed by Braw Lass, Cintra and Despair well up, with whom was Pizarro for about a furlong, when he lost his place. On the right, Isobar and Corunna separated Middlethorpe and Fulmen from King Monmouth and Fullerton. In the middle, fairly prominent berths

were held by Distinion, Tib, and Dalmeny; and on the far side Oberon and Renny were just in the wake of Castor and Braw Lass. With the pace as usual, a cracker from the commencement, the earliest vacancies in the leading division were created by the disappearance of Braw Lass and Cintra, of whom the former joined Fast and Loose in the rear before half the journey had been completed. A little further on Fulmen began to hang out signals of distress, and, as they approached the new ground, the first rank, in the order named, consisted of Castor, Middlethorpe, Despair, Oberon, and Isobar. A distinct gap separated these from King Monmouth; Renny, Fullerton, and St. George, of whom the top weight was gradually fencing from the right to the left, whereby he parted company from Fullerton. As they reached the junction with the old course, both Castor and Middlethorpe shot their bolts, and left Despair in command from Oberon, the pair being clear of Isobar, while one by one the two original leaders resigned to King Monmouth, Fullerton, Renny, Pizarro, and St. George. For a few strides below the distance Fullerton looked threatening, but he died out again almost directly, and Oberon having passed Despair, he remained in front to the end.' That a little conflicts with your recollection of the race, because I understand you to say you thought towards the finish he seemed to come again?—I saw him coming again, but it was too late.

Then the article goes on: 'With the collapse of Mr. Gilbert's horse, Isobar made an ineffectual challenge on the right, and at the same time Renny and Pizarro made expiring efforts on the left in company with King Monmouth. The tide was not to be turned, however, and, although Renny passed Isobar close to the post to beat him by a length for second place, Oberon won twice as far, with Pizarro a good fourth, the easing up King Monmouth fifth, St. George sixth, Fullerton seventh, Despair eighth, Fulmen ninth, and Middlethorpe tenth; the others were headed by Stourhead, with Braw Lass and Fast and Loose beaten off.' The actual race was won by Oberon by two lengths, a length between second and third?—Yes.

Then there is this note in the *Sportsman*: 'Usually the early proceedings on the day of a big race are characterised by something noteworthy. This morning, however, this was not the case on the event, though, as certain people with covering

commissions began to execute their business, matters underwent a change. For a time Fulmen firmly held his place at the head of affairs, but Fullerton could never keep his position, and, although 10 to 1 was again taken at the close, 100 to 8 had been laid previously, and by those who, one would suppose, were pretty well informed.' Then, again, upon the same day, there is this note in the *Sporting Life*: 'Then, too, Fulmen and Fullerton, whom I have discarded in the face of the market, failed to get in the first half-dozen, and Sir George Chetwynd's colt finished absolutely last, after all the money for which he had been backed, Braw Lass keeping him company. These are matters, however, upon which I do not care to dwell. Suffice it to say, that in leaving Fulmen and Fullerton, results have proved that I was not far wrong. Long before this a note of warning had been sounded to the backers of Fullerton, as from all parts of the Ring offers to bet against Sir George Chetwynd's colt were plentiful. Stage by stage he dropped back from the front rank in the quotations until at the fall of the flag 10 to 1 was freely tendered against him.' Admitting as I have, and I am glad to be able to do so, that you had backed your horse and wished it to win, does not that point to grave suspicion of something wrong about the horse?—Not necessarily. I saw the horse was at 10 to 1. I telegraphed to Robert Lee to lay against the horse, and he telegraphed back saying he was enabled to lay 600*l.* to 100*l.* for me, and he would not keep it to himself because there was nothing secret about it, and he would tell people 'I have laid Sir George 600*l.* to 100*l.* as a hedging bet,' and bookmakers would say, 'Sir George would not want to hedge his money if he thought the horse was sure to win.' It is wonderful how small a thing will make a horse go back in price. That is the way I account for it, and I can account for it in no other way.

Does it really seem to you satisfactory? Is it not considered perfectly legitimate, especially when you are known to have backed a horse for a considerable stake, to hedge a portion of it?—Yes, no doubt; but I did not show such extreme confidence to my friends about his chance of winning.

His next appearance in public was at the Newmarket Craven meeting on the 20th April, 1887?—Yes.

Had you intended to run Fullerton?—I had written to Sherrard to have him ready, in case we ran him; but since the Lincoln

Handicap he had been tried and beaten once; that is to say, between the Lincoln Handicap and this race.

As you refer to that, you may as well refer to the trial. I would not have pursued it but for your mentioning it, and I think it best to have the whole thing out.—On March 28th, one mile, Giesshubler, carrying 7 st. 4 lb., was first; Bard of Erin, carrying 7 st. 12 lb., second; Plantagenet, 9 st. 7 lb., ridden by Wood, third; Portnellan, 8 st. 7 lb., fourth; Fullerton, 9 st. 7 lb., ridden by Grimes, was fifth and last. Giesshubler won by four lengths, three lengths between second and third, then came Portnellan, and Fullerton was behind them all.

As you have introduced that trial, let me ask you whether you had tried him before the Lincoln Handicap?—Yes, with Giesshubler.

Did he win the trial?—He was about a dead heat with Giesshubler at 18 lb. Indeed, I think he could have won a head. They were the same animals at 18 lb., they told me, because I was not present.

From this trial of the 28th March, he would be very bad?—He had a good big weight in the trial.

The same weight as Plantagenet?—He could have given Plantagenet weight, of course. However, he is very bad upon that trial, certainly.

Giesshubler won easily by four lengths, three lengths between second and third, Portnellan fourth, Fullerton last; that was very bad indeed, was it not?—Yes, not as far as Giesshubler was concerned, but as far as the other horses were concerned, very bad.

You did resolve to run him when you got to Newmarket?—I did not want to run him, but Sherrard persuaded me to run him. He said: 'The horse is very well, why not run him and let him take his chance?'

Do you say you did not think he had a good chance?—I thought I might lose my money if I backed him after this trial. I did not think he would win the race.

Did not you bring him out to win this race, because you had lost heavily upon Plantagenet at Kempton?—No, I did not.

You had, as a matter of fact, lost heavily upon Plantagenet at Kempton?—Yes, I had lost 800*l.* or 900*l.*, I think, upon Plantagenet.

I think you had a bad race upon some other horses there; you had a bad week at Kempton?—I do not think I lost much more; it might have been 100*l.* more.

I am suggesting to you, and I must do it, that you did bring out Fullerton upon this occasion as a kind of retriever?—No, not the least in the world, I give you my word of honour.

In the face of this very bad trial, tell us what money you had upon him?—I think 250*l.*

Is it not correct that you backed him to win 1,400*l.*?—Yes, because he was at that price.

And Wood stood to win 55*l.*, did he not?—Yes, 55*l.* to 10*l.* Wood had.

He was not ridden in that race by Wood, in whose riding you had great confidence?—No, he could not ride the weight.

Then Fullerton's next appearance is in the Babraham Plate, the next day. There he was running against the winner of the Lincoln Handicap?—Yes.

With a difference of 7 lb. in Fullerton's favour as compared with the weights in the Lincoln Handicap?—Yes, which proved that he had no chance of winning the Lincoln Handicap.

You must not ask me to accept that.—But I want to prove it.

I cannot say that my assent goes with that statement. You say that according to the running in the Lincoln Handicap the 7 lb. would have brought Oberon and Fullerton together?—Wood told me that the horse was going so fast at the finish.

But I have read a report which shows he died away.—Wood told me, when he found it was impossible to win, though he was going so fast, it was too late, and he stopped the horse.

Upon the running, as one reads it, and apart from the information which your jockey gave you as to his impressions of the race, 7 lb. would not bring Fullerton and Oberon together?—No, not to anyone who did not know what I did.

In this case you backed both Oberon and Fullerton?—Yes.

You had 110*l.* to 80*l.* about Oberon?—Yes.

And 100*l.* to 50*l.* Fullerton?—Yes, and 350*l.* to 200*l.* from A. Jacobs.

Sir HENRY JAMES: How much did you back Fullerton for altogether?—I backed Fullerton in this race for 240*l.*, and I had 80*l.* on Oberon.

Fullerton had been very badly beaten in his trial for a mile on the 28th of March, after the Lincoln running?—Yes.

Mr. LOWTHER: I do not quite gather the relative weights of the two trials.

Sir CHARLES RUSSELL: The weights of the trial on the 28th March were Giesshubler 7 st. 4 lb., first; Bard of Erin 7 st. 12 lb., second; Plantagenet 9 st. 7 lb., third; Portnellan 8 st. 7 lb., fourth; Fullerton 9 st. 7 lb., fifth. Giesshubler won easily by four lengths, three lengths between second and third, and Portnellan fourth.

Have you a note in your trial book: 'Fullerton lost, in consequence of which I did not accept with him for the City and Suburban'?

Mr. LOWTHER: That would not seem to afford much information?

The WITNESS: No, it gave me no idea.

Sir CHARLES RUSSELL: If at 18 lb. you thought the trial good enough to put a lot of money on the Lincoln Handicap, I do not understand the object of trying the horse on the 28th March at a difference of 31 lb.?—I meant Giesshubler to win the trial.

To deceive the touts, you mean?—Yes.

In other words, for the purposes of the trial, we may strike out Giesshubler?—Yes, you may do that, certainly.

What was the trial horse there?—All the other horses, but Plantagenet chiefly.

You were trying him with even weights with Plantagenet?—Yes.

And Plantagenet beat him by what?—I do not know. I have written here against the trial, 'all wrong,' and it was in consequence of that trial that I did not accept for the City and Suburban, where he had a light weight on.

I am more and more puzzled and fogged about this, but no doubt it is my fault. You say you wrote against the trial, 'trial all wrong'?—Yes, but that was a long while afterwards, of course. I do not give that trial for gospel, because I know it was all wrong.

When did you put this comment in, 'trial all wrong'?—During the season—during my trials.

After he won the Crawfurd Plate?—Yes, distinctly afterwards.

That is to say, looking back upon the trial, you saw that

subsequent events showed it was all wrong?—The running of the horses showed it was all wrong.

Was Fullerton a horse that you could rely upon in his trials at all, or did he run much better in public, so that his trials were unreliable?—No, I think he used to run fairly well in his trials. He had not a good jockey upon him in this trial. Grimes is not to be compared to a good jockey, and with the exception of him they were all jockeys.

Notwithstanding this bad trial which you have now told us about, you backed the horse to win you in that race 1,400*l.*?—Yes, I had the Lincoln Handicap running to go upon.

In the *Sportsman* of the 13th April, which would be the day after the race, did you see these comments: 'This was a wide contrast to what had been in previous years, but few as were the runners, many backers failed to spot the winner, the running of Fullerton in the Lincolnshire Handicap having effectually stalled off many who, up to that time, had regarded him as the almost certain winner of a good handicap. How much he was fancied in some quarters yesterday the betting at the finish sufficiently showed, and that faith in him was well founded the son of Touchet told a long way from home when he came out with the race in hand. His jockey rode him in a style that showed he did not mean to be caught napping. The silence as Fullerton passed the winning-post told a tale as to how many of his Lincoln backers had now deserted him, and time must be left to show whether the six-furlong course traversed yesterday was more to his liking than the Carholme Mile.' Then as regards the betting: 'To begin with, Mephisto and Fulmen were nearest to him in the quotations, but each gave way in turn to Sir George Chetwynd's Lincoln failure, Fullerton, who left off a very firm article at 5 to 1. Of Fulmen it was said that he had been satisfactorily tested for speed since his visit to the Carholme, and if no longer sound in his wind, there were hopes that Volta would recall his promise in this week last year. But all ideas of improvement were knocked on the head by Fullerton, who went away from his opponents directly the flag had fallen, and gave them no quarter in any part of the journey. This was, in fact, a much better display than at Lincoln, when he was so roughly handled in the market on the morning of the race. He certainly had a lighter weight to carry here, and Doubloon, who of the

same age was giving him 21 lb., could have finished second.'—Doubloon was second best, and Cannon, who rode him—and I often ask him what he thinks about the result of races, because his opinion his good—told me that a stone would have turned it.

Then comes the Babraham Plate the next day. How much did you win up that day?—350*l.* I really only won 250*l.*, because I gave Warne 100*l.* for riding the two races.

You backed him to win 350*l.*?—Yes, and according to this race he could not have won the Lincoln Handicap.

Let me again refer to the paper that you do read—the *Sportsman*.—I prefer to give my opinion against the *Sportsman's*.

I put it to you whether these comments ought not to have suggested to you the necessity of making some inquiry: 'Like the companion race on the previous day, the Babraham Plate attracted but a wretched field in point of numbers, only five going to the post. Of these Oberon and Fullerton alone attracted much attention in the Birdcage, and that Mr. Manton's colt had not looked behind him since the Lincoln week was the general impression. Fullerton, on the other hand, scarcely looked so bright as on Tuesday afternoon, but that any horse should seem a little dull in such bitter weather as that of yesterday is not surprising. Between the pair the betting was at one time very close, but Oberon left off the better favourite. Repeating the tactics of the previous day, Fullerton was in front from the outset, but met a much more formidable foe in Mr. Manton's colt than in anything he then encountered. For a few strides, indeed, it seemed as if victory would go to the scarlet jacket—that Oberon would run the longer when the pinch came being the general belief. In a severe struggle, however, Fullerton held his own, and won by three parts of a length, the contest being the most interesting seen up to this time during the week. That the terms on which the pair met were considerably more favourable to Sir George Chetwynd's colt than at Lincoln is true, but judges who had seen the pair run there generally gave preference to Oberon.'—Oberon is a thief.

Was not it a severe finish between the two, and did not Fullerton win by staying the better?—I think Oberon ought to have won.

The next race in which the horse ran was the Jubilee Stakes,

which Bendigo, as we know, won, carrying 9 st. 7lb., and Fullerton carrying 8 st.?—Yes.

You backed Fullerton here, did you not—altogether, I think, put on 200*l.*?—Yes.

The length of that Jubilee Stakes course at Kempton is what?—A mile.

Is it important to get your horse well off to be well placed in the bend?—No, it is not important.

Why?—Archer and Fordham both told me, in discussing this course, that if a man makes the running to get round the bend first, something always catches them, and they preferred to wait and take their chance of getting through. That opinion was the result of races they had ridden in.

Do you think at Kempton that a horse not well placed at the turn wins races frequently there?—I have seen lots of horses shut in.

Horses not well placed at the turn?—Yes.

Did you not give instructions to Wood upon this occasion?—I began by giving orders to Wood upon this occasion directly I got upon the course.

Did you not give him orders to get off well in front and have a good place at the turn?—I suggested those orders to him.

A master does not suggest orders; a master gives his servant orders.—I went to Wood, and said, 'I know nothing about Fullerton; but apparently he ran very gamely against Oberon in the Babraham Plate, and therefore I think, considering the quantity of weight Bendigo has got to give Fullerton, it would be as well to get off and lie in a good place'; but Wood's answer was, 'I would much rather wait, as I think speed is his best point'; and I said, 'You ought to know more than I do; ride him as you like.'

Did you not tell your friends that you had given Wood orders to jump off, and to take a good place at the bend?—No, I did not.

As a matter of fact, had Wood a good place at the bend?—No, he had not.

Bendigo was just inside?—Fullerton was on his left and Bendigo inside just before they got to the bend.

As the race was run your original suggestion as to orders

was not complied with?—My suggestion was not complied with.

You deferred to the opinion of Wood about it?—Yes, I did.

You thought that 8 st., receiving 21 lb. from the top weight, the horse ought to make use of his lighter weight, and you thought he ran like a stayer against Oberon?—Yes.

Was speed the principal quality of Bendigo?—He showed great speed in that race.

And carrying the top weight it would be his tactics to wait rather?—Yes.

What do you think now of your suggested orders against Wood's tactics?—I think mine would have been the best.

Fullerton was fourth, I believe?—Yes; he came up with a wet sail.

Just beaten for third place?—Yes; Watts told me that there were two horses in front of Fullerton and Bendigo, and they crossed in front of Fullerton, and Bendigo got inside.

Was there any trial before the Manchester Cup?—Yes. We tried the distance with Fullerton, Stanislas, Stetchworth, and Plantagenet over a mile and a half at Newmarket.

Stanislas was first, carrying 6 st. 10 lb., Fullerton second, 9 st., Stetchworth third, 8 st., and Plantagenet fourth, 8 st. 8 lb.?—Yes.

You notice that in the trial in March you ran Plantagenet and Fullerton at even weights, 9 st. 7 lb., over a mile, and Plantagenet beat Fullerton out of place?—Yes.

In this trial, although Plantagenet had beaten him at even weights over a mile and a half, you make Fullerton give Plantagenet 6 lb., and he beats Plantagenet out of place?—Yes; he could not go at all in that trial.

Not that day?—No, not at all.

Read your comments upon that trial. 'Stanislas made all the running and won easily, three-quarters of a length; Fullerton beat Stetchworth, who ran well for a mile and a quarter at the finish, eight lengths, and he was a length in front of Plantagenet, who was out of form.'

Is there not a note there about Fullerton not staying?—Yes. 'Fullerton cannot stay dis.,' that means 'distance.'

That was a mile and a half? The Manchester Cup is a mile and three-quarters?—Yes.

Was this the only trial for the Manchester Cup?—That note, 'Cannot stay dis.,' was written after the Manchester Cup.

In the Lincoln Handicap, King Monmouth was giving him less weight than he was giving him in the Manchester Cup?—No, more weight.

You are right; in other words, you were meeting King Monmouth, who finished a considerable way in front of you in the Lincoln Handicap, on 12 lb. worse terms?—Yes; but I knew Fullerton could have beaten King Monmouth in the Lincoln Handicap easily.

You backed Fullerton for the Manchester Cup for a good deal of money?—Yes.

To win you how much—10,000*l.*?—Yes, but not for myself; there was some money for others.

Wood had 50*l.* on, had he not?—I do not know; but I think he had. Yes, it is right; he had 50*l.* on at 9 to 1.

You said yesterday that Fullerton's best distance was a mile?—My opinion is so.

Recollecting that his best distance is a mile, and recollecting you are meeting a good class of horse like King Monmouth at 12 lb. worse terms than at Lincoln, had you any justification for backing Fullerton over a mile and three-quarters, excepting upon what Wood told you?—And this trial.

But that trial was won by a horse which you describe as a very bad one?—Yes, because I found it out afterwards. That horse deceived me, and made me lose this money on the Manchester Cup.

You told us that you recollected that the heavy ground at Lincoln jeopardised Fullerton's chance?—Yes.

Was not the ground very heavy going at Manchester?—No, it was beautiful going at Manchester upon the Cup day—perfect going. It did not rain till the night after the Manchester Cup.

Is it not nearly always heavy-going at Manchester?—No, not in the summer, and this was the summer meeting.

Sir HENRY JAMES: What age was Stanislas?—Four years old.

And Fullerton 4 years?—Yes.

Fullerton was giving 2 st. 4 lb.?—Yes.

Sir CHARLES RUSSELL: Then Fullerton's next race was the

Wilton Plate, where he was carrying 9 st. 5 lb., receiving 2 lb. from King Monmouth?—Yes.

So that I think the result would be that King Monmouth was meeting Fullerton on 14 lb. better terms?—On 2 lb. better terms than in the Manchester Cup.

And 14 lb. better terms than at Lincoln?—Yes.

And the distance a mile?—Yes.

That is King Monmouth's best distance, is it not?—No, I should think not. I should say a mile and a half is his best distance. I have seen him win a big race over a mile and three-quarters.

Sir HENRY JAMES: A mile was the best distance for Fullerton, was it not?—Yes.

Sir CHARLES RUSSELL: Was the going heavy in the Wilton Plate?—Yes, dreadfully heavy.

There was no betting, I suppose, till the morning of the race?—No, I should think not.

The heavy ground did not prevent your backing him?—No; but it ought to have done.

Do you suggest that Fullerton objects to heavy ground more than any other horse ordinarily does?—Most certainly I suggest it; I am positive of it.

How much had you on Fullerton in the Wilton Plate?—1,010*l.*

Again I ask you, Was there anything in the running of Fullerton to justify your expenditure upon him, apart from what you were informed?—In the Manchester Cup he had beaten King Monmouth. I always go by the running just before, and therefore I expected him to beat him again. Fullerton was fourth, and King Monmouth was eighth in the Manchester Cup.

Then Fullerton ran in the Stewards' Cup at Goodwood, carrying 8 st. 13 lb., won by Upset, and he started second favourite, from which I judge you backed him?—Yes, I backed him—I took 2,500*l.* to 175*l.* He ran slow; he was sixth in the race.

Then I think the next race was the Autumn Handicap?—No; the Glen Plate, at Leicester.

In the Glen Plate you backed him for 200*l.*, and he lost?—Yes.

He was first favourite?—Yes. He was third best in the race, but had no chance of beating the second, as he was meeting him on several pounds worse terms than before.

Then he runs in the Trial Plate at Newmarket, won by Rada?—Yes.

Rada was not thought much of at that time, I think?—I thought a good deal of her, and I sent to buy her before the race.

Did you back her?—No, I backed Fullerton.

What were you willing to give for her?—800*l.*; I heard she was for sale for 800*l.*

It is fair to say, in passing, that this is a race very frequently won by two-year-olds?—Yes, I think it is. I think Fullerton ran a good horse in that race.

The Autumn Handicap is the next I wish to ask you about. In your judgment, as a racing man of experience, was Fullerton ever in the race at all?—Yes; but going at the top of his speed he looked as if he would never catch the light weights; he was going always in one place, about two lengths from the actual leading horse.

Did he—I think it is an expression sometimes used—at any moment in the race seem to you to flatter his backers?—Yes, I thought he was going to win at one time, about 100 yards from home, or perhaps a little less.

That would be after rising out of the Abingdon Dip?—I should say just out of the Dip.

You thought at that moment he was going to win?—I hoped he was going to catch these two light weights.

And you had on Fullerton how much?—I had 500*l.* to 250*l.*, and 200*l.* to 80*l.*

So that you stood to win 700*l.*?—650*l.* on Fullerton.

Is it the fact that while on some of the races Wood had a bet, at Lincoln and Manchester he had no bet upon this race, no bet upon the Jubilee Stakes, and no bet upon the Trial Plate?—He had no bet with me.

So far as you know he had none?—I know he backed Fullerton in the Jubilee Stakes.

Was it the ordinary course between you for Wood to ask you to be put on, or for you to ask him whether he wished to be put on?—I really do not know, and I cannot tell you. I may say in

this race Braw Lass was receiving 12 lb. from Fullerton, and only beat him a head; Fullerton was fourth, and he was within three-quarters or half a length of the winner, and Braw Lass was receiving 12 lb. from Fullerton, and beat him a head; and last year Fullerton tried to give 3 lb. only to Braw Lass, and she beat him a head upon the same course.

You are entitled to say that, but do you not know it to be a fact that Braw Lass was notoriously a greatly improved mare upon last year's running compared with the previous year?—I think so, and this would show an improvement of a stone.

Is it not a notorious matter, also, that that very Bretby Stakes course is her very best course?—She beat Fullerton in a canter over the Rowley Mile.

The next race is the Select Handicap at the next meeting, and I wish to call your attention to one horse in that race. Do you think there is anything in the running in the Autumn Handicap which needs explanation?—According to my own private opinion I do not think so.

You were disappointed, I presume?—I have been nothing else but disappointed with this horse.

Not in the City and Suburban?—No, I mean this year.

However, you did not feel called upon to ask for an explanation. No adverse comments as to Wood's riding in the race came to your knowledge?—No; I did ask Wood for an explanation, but not suspiciously.

What did you ask him to explain, and what did he say?—I asked him for an explanation, and Wood said, 'He could not go the pace, I suppose; the two light weights always went faster than I did, and I never could get on terms with them.'

The matter went no further?—No, and it looked like it—he was not beaten further than *that* from the winner. There were four heads. Fullerton was at Athol Lass's head.

The statement is, 'Won by a neck, the same between second and third'?—Yes, and Fullerton was a head behind Braw Lass.

Did Wood seem to you in the Dip to make any effort on Fullerton?—Yes, he did, he was riding with his hands, long before the Dip.

Did you see his whip flourish?—At the finish.

Did he touch the horse with the whip?—No, I do not allow him to touch my horses with the whip.

Does he carry a whip?—Yes.

Merely to show it?—To flourish it at the horse, as Cannon does. They always show the horses the whip when they are calling upon them to win a race.

But not to use it?—No, I hate it. He does use it sometimes, but I dislike it very much.

Now, I want to call your attention to the Select Handicap—Fullerton, 8 st.; Pythagoras, 7 st. 8 lb.; Annamite, 6 st. 9 lb.; Humewood, 8 st. 1 lb.; Ashplant, 7 st. 10 lb.; Mamia, 6 st. 7 lb.; Martinet, 6 st. 9 lb.; 100 to 30 Martinet, 4 to 1 Fullerton, 5 to each Humewood and Pythagoras, and so on; won by four lengths. That race never was in doubt, was it?—It was to me.

Where?—At the Bushes.

I must put it to you on the instructions before me; did not Wood ride that race in a very different fashion from his riding in the Autumn Handicap?—No, it is a different course. I thought he was to be beaten this race, but he took his whip out on the horse 200 yards from home. In the last 200 yards of this race he was riding with his whip out. Although he won eventually in the last 50 yards easily, both Annamite and Martinet went faster.

You do not mean to say he used the whip?—No, but he had to show it to the horse.

Am I to take it that there was no contrast which suggested any doubt to your mind about the running of the horse in those two races?—No, because I saw these horses behind Fullerton could not stay; they dropped behind.

In reference to that Select Handicap, was there any other commission except the money you put on yourself?—No, not a halfpenny.

So far as you were concerned?—So far as I was concerned, and I should like to say something about it.

By all means.—I did not care much whether the horse won, I was so disgusted. I heard that ill-natured people said after that I had backed Fullerton at starting price in this race, and I was very indignant. I had no knowledge of the horse being backed at starting price by anybody until three weeks ago, and then Mr. Benzon told me that he was down at Ascot, and he had telegraphed up to back Sherrard's selected in that race of 50*l.*

starting price. This was a rumour that went about all over the place, that I had won a lot of money at starting price, and I never could account for it until three weeks ago.

People, in other words, came to the conclusion that you had had a very good race?—Yes.

Whereas you had not a large amount?—Had not got what I had lost on him the week before.

Perhaps, Sir George Chetwynd, you can give me—if not, I will ask Mr. Weatherby's representative—the amount of the forfeits, the amount of the entries of those horses, Arbaces, Columbine, Moncrieffe, Vol-au-Vent, Alucha, and so on?—The forfeits would be about 700*l.*; Wood's engagements amounted to about 700*l.*; I bought the horse, and they amount to about 707*l.*

You appear to have got a paper there?—Yes. (The paper was handed to the learned Counsel.)

I may use this, I suppose?—Yes, it is only a rough copy I have made since—it is not correct to a pound, I dare say.

Sir CHARLES RUSSELL: This paper Sir George Chetwynd has handed to me, and I have no objection to hand it in. It appears to give the information I wanted. It is headed, 'Rough statement of payments and receipts connected with the six horses Sir George Chetwynd bought from Wood.' This is your own handwriting?—Yes, I did it some little time ago.

'Payments, training expenses, 1,040*l.*' You worked that out?—Yes.

'Forfeits of engagements sold to him with the horses:—Arbaces, none; Columbine, 16*l.*; Monerieffe, 301*l.* 16*s.* 0*d.*; Alucha, 280*l.* 14*s.* 0*d.*; Vol-au-Vent, 108*l.* 12*s.* 0*d.*; Petit Duc, 1*l.*—707*l.* 12*s.* My entries and forfeits:—Keep of Alucha, heath taxes, &c., 250*l.*; jockeys' fees, 86*l.* 2*s.* 0*d.*; payment to C. Wood, 1,200*l.*—total, 3,283*l.* 14*s.* 0*d.*' That is made up, you see, therefore, of the training expenses, forfeits, Sir George Chetwynd's entries, heath taxes and jockeys' fees, and payment to Wood, 3,283*l.* 14*s.* 0*d.* Then the other side of the account is this:—'Receipts: 1,100*l.* Arbaces; 800*l.* Columbine; 1,130*l.* 5*s.* 0*d.* winnings; 200*l.* Alucha; 5*l.* Moncrieffe; 45*l.* Petit Duc; Vol-au-Vent died soon after I bought her—3,280*l.* 5*s.* 0*d.*' I put that paper in, as it will be convenient to have it to refer to. That is all I have to ask.

Re-examined by Sir HENRY JAMES.

You have been subject to a long, perhaps not unnecessarily long, cross-examination. I want first to make clear what materials my friend had. I believe you have produced for the inspection of the Defendant and his advisers, first your betting-book?—Yes.

And of course, as we see, my learned friend has been cross-examining from a copy of your betting-book?—Yes.

Sir CHARLES RUSSELL: A copy of entries relating to these horses, not the whole betting-book.

Sir HENRY JAMES: But with the opportunity of having every entry that the Defendant's advisers wished?—Yes, they have had a copy of the bets on 400 races.

And an opportunity of having more if they wished?—Yes.

Has there also been inspection of your bankers' pass-book; also inspection of what has been termed your diary?—Yes.

And copy taken?—Yes.

Also inspection and copy of your trial-book?—Yes.

From which cross-examination has been led by my learned friend?—Yes.

I believe, also, your solicitor obtained the copies of your letters to Wood for the purpose of seeing them?—Yes.

Having an opportunity, if he thought proper, of returning them to Wood?—Yes.

As a fact, did your solicitor furnish to the Defendant's solicitors the letters that passed between you and Wood?—Yes.

For instance, the letter that you read marked 'Private,' was that furnished by Mr. Sydney to Mr. Lewis?—Yes.

As far as you know, from that the line of cross-examination on that point has proceeded?—Entirely.

Your own solicitor making public those letters?—They were letters written by you to Wood, and you could, if you had thought proper, have allowed them to remain in the possession of Wood?

Sir CHARLES RUSSELL: Wood must disclose them in the action by Wood.

Sir HENRY JAMES: I am speaking of Sir George Chetwynd's letters. Your solicitor obtained those letters from Wood, I think, which were written from you to Wood?—Yes.

You had no copy in your possession?—I had not.

Having so obtained them, to your knowledge were copies of them furnished by Mr. Sydney, your solicitor, to Mr. Lewis?—Yes.

In that way my learned friend has been in possession of this information?—Yes.

Apart from your banking book, betting book, trial book, and Wood's letters, there has been an opportunity of seeing Messrs. Weatherby's account, and Messrs. Tattersall's account, and also appealing to Mr. Brewer?—Yes.

As far as you know, has every bit of documentary evidence in your possession of the past years affected by this libel been disclosed by your solicitor to Lord Durham's advisers?—Everything.

You have kept nothing back?—I have kept nothing back.

Of any kind?—Of any kind.

As far as you know, is the whole truth relating to these transactions now disclosed?—The whole truth.

In your betting books the names of the persons with whom you bet appear?—Yes.

Some of them may not be accessible, but for the great bulk of those persons they are accessible, so that inquiry could be made as to the truth of your entries?—Yes.

My friend commenced his cross-examination by asking you if you had been Steward of the Jockey Club. You have been so?—I have.

When was that?—In 1877, I think.

The Arbitrators know that I should like it to be made public. What term does a Steward serve?—For three years.

Mr. LOWTHER: 1879, was it not, and going out in 1881?—I went out in 1881, so I must have come in in 1878.

Sir HENRY JAMES: My friend thought it right to put this question to you: 'One who has served the office of Steward is eligible for re-election at a later period?' Your answer is 'Yes.' Then my friend says: 'It is hardly re-election, I think, but co-optation?—Yes. Q. Have you served more than once?—No.' Of course in your experience of racing there have been a great many gentlemen connected with the turf who have served as Stewards?—Yes.

Out of all those persons who have served as Stewards how

many have been re-elected?—I can only remember two instances. I believe there are only two instances.

Those two, I believe, are two of the Arbitrators?—Lord March and Mr. Lowther.

Out of all the persons who have served, they are known as being the best known persons on the turf?—Yes.

Those are the only two Stewards that have been re-elected?—Yes.

Mr. LOWTHER: I was very nearly calling attention to Sir Charles Russell's remark at the time he made it, and thought an impression might be created that some reflection was cast upon a member not being re-elected. I do not suppose Sir Charles meant it in that way. I believe as a matter of fact there is one other, but unless Sir Charles wished to draw any inference from it I need not mention it.

Sir CHARLES RUSSELL: Not at all. I wished to see what was the extent of Sir George Chetwynd's experience, and fix his position and responsibility in relation to public racing.

Mr. LOWTHER: You do not mean any reflection from the fact that he was not re-elected?

Sir CHARLES RUSSELL: No. My client Lord Durham has never been Steward. There is no reflection on him that he has not been.

Sir HENRY JAMES: The next question you were asked was about this person of the name of Walton. I think my learned friend Sir Charles Russell must have meant in his question that it was in consequence of something that occurred between you and Walton you were requested to take your horses away from Bedford Lodge stable.

Sir CHARLES RUSSELL: I meant that the horse was sold to this man, Walton, and if the horse was in the stable, that would give him a right of access to the stable, which was objectionable.

Sir HENRY JAMES: I think, also, that my learned friend Sir Charles Russell meant that the principal employers of that stable—either Mr. Crawfurd, who was then unwell, or the Duchess of Montrose—requested you to leave the stable. This American, Walton, was known to you, and you sold him a horse, I think?—Yes, I and another gentleman sold him a horse.

Who was the other owner of that horse?—Mr. Henry Higgins.

When did the sale of that horse take place?—Immediately before the race that he won in the year 1882, at the end of the year 1881.

When did you, as a fact, take your horse away from Bedford Lodge?—At the end of the season 1882, more than a year afterwards.

What was the race the horse you sold won?—It was the Trial Stakes at Newmarket, to be sold for 1,000*l*.; I remember the race, and a horse called Favor was second.

If you refer to page 55 the cross-examination is that, in consequence of the sale of this horse, that was the reason given by the Duchess of Montrose, or Mr. Crawfurd, who I believe was in bad health.

Mr. LOWTHER: I have taken down that the horse was sold to Walton at the end of 1881, and that Sir George continued to train in the stable until the end of 1882?

Sir HENRY JAMES: Yes.

Prince SOLTYKOFF: He remained there a year after?—More than a year.

Sir HENRY JAMES: Were you in the habit of seeing Mr. Crawfurd during the season of 1882?—Yes.

Were you and Mr. Crawfurd on friendly terms?—Yes.

And with the Duchess?—Yes, I managed her horses in 1882.

During 1882 Mr. Crawfurd and the Duchess of Montrose were coming to Bedford Lodge stable, and you have just said you managed Mr. Crawfurd's horses during 1882. Had you any difference during that year at all with Mr. Crawfurd and the Duchess of Montrose?—No, not at all until after this letter.

Up to that letter in November 1882, had any word passed between you and the Duchess of Montrose about the sale of this horse in 1881?—Not before that letter or after.

Having that letter in your possession, you now adhere to the statement that you made the day before yesterday: 'The Duchess of Montrose wrote to me and asked me to, and said that she wanted to keep the stable to their own horses entirely'?—I do.

The next point that you were asked about was that Wood had received a present from this Mr. Walton. Did you speak to Wood about it?—I did. I wished to know what had occurred.

What did Wood tell you?—He told me the whole story that he had told Walton—that he thought this animal would win, and that Walton had backed the animal and made him a present, and I told him to go and repeat the whole story to the Stewards of the Jockey Club.

Do you know whether Wood did go to the Stewards or not?—I believe so.

You thought it your duty to tell Wood to go to the Stewards, and you believe he did tell them?—Yes, I am sure he did.

The next question you were asked was as to the owners who trained in the years 1885, 1886, and 1887. Does General Owen Williams still train at Sherrard's?—Yes.

Does Mr. Abington train there at all now?—Yes.

You have been asked by Sir Charles Russell, at page 57, as to your partnership with Mr. Baird as to inquiries you made about him. Your partnership with Mr. Baird is registered at Weatherby's?—Yes.

At any rate that register would be open to the Stewards of the Jockey Club?—Yes.

Did anyone of the Stewards of the Jockey Club, or anyone else, ever remonstrate with you for being part owner of a horse with Mr. Baird?—Never. I told the handicapper he was.

Would that register be open to the handicapper or not, do you know?—I do not know whether it would. If he wished to see it no doubt the Stewards would give him permission.

Mr. LOWTHER: If he asked, it certainly would.

Did your trainer, did your stable know and your jockey know?—Yes.

My friend has asked you as to your running a horse that was your own horse at the same time that you would be running a horse which was a partnership horse of yours and Mr. Baird. He puts it to you that was an improper transaction. Did you ever have any remonstrance made to you by anyone until this trial has arisen of there being any impropriety in your running horses under such conditions?—No.

Mr. LOWTHER: I do not want you to be under the impression that the Stewards of the Jockey Club knew anything about these partnerships until their attention was called to the matter at a late day.

Sir HENRY JAMES: That is not my point. My point is that

Sir George Chetwynd had placed information in Mr. Weatherby's hand so that at any moment it might be known. Personally, I do not suppose they did. It will save me some time in re-examination as to Mr. Baird, Lord Lurgan, and others, if I now put in a letter written by Lord Durham, or else I should have to go through those. It is a letter written by Lord Durham to Lord Lurgan, dated the 27th December, 1887, after the speech at the Gimcrack Club at York. At the end Lord Durham says: 'I will write you a more sincere and formal one if you wish one for publication.' Lord Durham allows it to be read, Lord Lurgan having applied to him for permission. It is an answer to a letter written by Lord Lurgan to Lord Durham asking for an explanation of the speech at York, and this is the reply: '27th December, 1887.—My dear Lurgan,—Your letter only reached me this morning. It is quite correct that I gave George Lambton my authority to inform you or any other gentleman, with the exception of Sir George Chetwynd, that I have no wish or intention to make any imputation against you in my remarks at the Gimcrack Club dinner on the subject of Sherrard's stable. I do not see a single point in any press notice that can be construed into a belief that I referred to you. Under these circumstances I hope you will agree with me that it is unnecessary for you to take any public notice of my speech. A newspaper correspondence is a nuisance. On the other hand, if you wish to publish a letter from me I shall be most happy to send you a formal and sincere denial of my intention to make any imputation if you wish it for publication.' Lord Durham has been good enough to tell Lord Lurgan that he has no objection to this being taken as a letter that may be read in public. He says: 'It is quite correct that I gave George Lambton my authority to inform you or any other gentleman, with the exception of Sir George Chetwynd, that I had no wish or intention to make any imputation against you.'

Now, the next point was the bet with Wood. I think, Mr. Lowther, we have it now from your statement that the original rule against high betting appeared in December 1883, and that it was not till December 1887, in the 'Calendar' next before the Gimcrack speech, that any alteration was made in that rule.

Mr. LOWTHER: As far as I have ascertained that is substantially correct. Of course I am not a witness; you must verify it for yourself.

Sir HENRY JAMES: You were good enough to make the statement yesterday.

Sir CHARLES RUSSELL: I accepted it, of course.

Mr. LOWTHER: It was the result of examination of documents which had been given in evidence.

Sir HENRY JAMES: On December 14th, 1887, Lord Durham himself says, in the last number of the 'Racing Calendar' the Stewards have inserted a notice to the effect, and so on.

I think you stated in your evidence that you were under the impression that you mentioned to one of the Stewards, and I think you said somewhat hesitatingly to Lord March, the fact of your betting during the time you were betting small sums. I do not know whether your memory enables you to say to which of the Stewards it was you spoke?—No, I believe this to have been in 1884.

You mentioned Lord March?—I mentioned it, not knowing whether I had done so or not. I have no recollection who was the person.

You did mention this matter to Mr. Lowther when this question arose?—Yes.

I want, if you please, to get the detail of this betting of Wood's upon Fullerton. I am taking the 1887 betting. In the Lincoln Handicap was 50*l.* spent by Wood in backing Fullerton?—Yes.

That he lost?—That he lost.

In the Crawfurd Plate 10*l.*?—Yes.

That he won?—That he won.

The Babraham Plate 10*l.*—that he won?—Yes.

The Manchester Cup 50*l.*—that he lost?—Yes.

The Wilton Plate 50*l.*—that he lost?—25*l.*

Stewards' Cup 10*l.*—that he lost?—Yes.

Select Handicap 20*l.*—that he won?—Yes.

The result I make it on the races, I do not say what the winnings were, but on the races he won 40*l.* was spent, and on the races he lost 135*l.* was spent?—Yes.

I am giving the money expended, of course. What was the result of the winnings is another figure. There is a question shortly afterwards asked you on which I have to ask you several questions. My friend, Sir Charles Russell, asked you whether you expected Fullerton or a certain horse to win, and you stated you

did not expect it, and he asked you why did you run it. Have you frequently run horses in races when you did not expect them to win?—Yes.

Of course there may be many reasons why you take that course of running them?—Yes.

Will you give me some of those reasons why you run a horse when you do not expect him to win?—I might have sent him over from Newmarket to run for an engagement, not knowing what the field would be. Very often a race would dwindle down to two or three runners, when, if he was badly handicapped, he might have a chance of winning against those running against him. I should not have any knowledge of what horses were going to run in these small handicaps. When a horse is there he may as well take his chance. On many occasions when I have had horses I have backed others in the race and lost heavily.

Supposing you find a handicapper putting a certain weight on your horse, and you think he cannot win at that weight, and he is heavily handicapped, how can you show the handicapper the true form of your horse without running him?—You could not, he would go on handicapping him at what he considered a proper weight.

In your opinion, is there anything wrong in running a horse if you think it is heavily handicapped to let the handicapper see what he can do in company with other horses, in order to get him down to his proper standard of handicapping?—Distinctly not.

If he was handicapped very heavily, and you kept him in the stable, you could not get the weight lowered?—The handicapper would advise you to run him. He would say, 'I cannot take anything off until I see how he runs.'

Until my learned friend asked those questions did you ever know that it was wrong to run a horse when you did not expect it to win?—No.

Did you know it was the absolute bounden duty of an owner to back a horse when he ran?—No.

Of course, the price the horse starts at would be some evidence whether the owner was backing it or not?—Yes.

Supposing the horse has been run at 100 to 1. I see Fullerton, when he was in Lord Dudley's hands, started at 200 to 1 once—it is in the 'Calendar'—in the Cambridgeshire last year;

would such a fact be an ingredient in the consideration of the handicapper?—No doubt, if he saw it he would think there was some reason for the horse starting at such a long price.

He would know, at least, that his owner had not backed it, probably?—Yes, did not fancy it.

And therefore did not expect it to win?—And therefore did not expect it to win.

Fullerton did lose his three races in 1886?—Yes.

My learned friend, Sir Charles Russell, has been good enough to make a statement about your good faith in backing the horse in 1887. I take it as a fact you backed him for the Lincoln Handicap, the first race of 1887, and intended him to win?—Certainly.

If he won that race, I suppose his weight would have been put higher than it was afterwards?—Yes.

I do not want to go through it now at this moment, but you did go on backing that horse, as now admitted, in good faith during the whole of 1887?—Yes.

Whatever the horse had done in 1886. In the first place tell me who will be the handicapper for Lincoln?—Mr. Ford.

The weight that was put on—was that what you would consider a fair weight for Fullerton on his merits?—At the time I thought it was rather too much weight.

Sir CHARLES RUSSELL: 7 st. 4 lb.

Sir HENRY JAMES: And of course he did not win with it. (To Witness:) When did you sell Fullerton to Lord Dudley?

Sir CHARLES RUSSELL: After the Stockbridge Meeting in 1888.

Sir HENRY JAMES: I think the first race that Fullerton ran in after the sale in 1888 would be July 4th, for the July Cup, at Newmarket?—Yes.

That race, if you please, is at page 226 in the 'Calendar' of 1888. There were only two horses started, I think, for that race?—Yes.

Van Dieman's Land and Fullerton, with 4 to 1 on. That was won by one length. I suppose that will tell you nothing?—No.

The next race is nothing again, it is a walk over. And then we come to the Newmarket Second October, the Trial Plate, page 459; 2 to 1 Fullerton, and 9 to 4 your horse Crafton, 5 to

2 Love in Idleness, and a horse that was not backed at all—Braw Lass—won ?—Yes.

And Fullerton was last ?—Yes.

Love in Idleness second, your horse third ?—Yes.

Should you think that was Fullerton's true running or not ?—No, abominable running.

At this time it was Lord Dudley's ?—Yes.

Sir CHARLES RUSSELL : He gave 10 lb. to Braw Lass ?—Fullerton was beaten off in this race.

Sir HENRY JAMES : Which horse did you back ?—I backed Crafton and Fullerton.

Fullerton was beaten off ?—Yes.

Ridden by Watts ?—Yes.

Can you account for that by anything you saw in the race ?—No.

Should you call that in-and-out running ?—Yes.

Sir CHARLES RUSSELL: Does he not know that the horse was amiss ?

Sir HENRY JAMES : Do you know that the horse had been amiss ?—No, I know that he had been backed, and was thought sure to win.

Somebody backed it at 2 to 1 ?—Yes.

Would it be right for an owner, if he knew it to be amiss, to back it and let the public back it ?—He looked well enough.

Quite well enough for you to back him ?—Quite well enough for me to back him. I went to see him.

You had known the horse before ?—Yes,

And the public who backed it ?—Yes.

The next race is the Cambridgeshire, in the Newmarket Houghton ; Fullerton starts at 200 to 1. I will accept my learned friend, Sir Charles Russell's, formula.

Sir CHARLES RUSSELL : Top-weight, 9 st. 1 lb.

Sir HENRY JAMES : And with that consequence 200 to 1. Starting at 200 to 1, does that look as if the owner thought it could win ?—No.

Or could back it ?—No.

Can you tell me why Lord Dudley should have started a horse he did not expect to win ?—For the same reason that I should have. It showed that he thought he had no chance at that weight.

I think you were asked that five times, I only ask it once, that is as to Lord Dudley. I suppose the weight was a very heavy weight ?—Only three pounds more than he carried in the City and Suburban.

What kind of handicap relatively would the Cambridgeshire be ?—Very much the same.

What did he carry in the City and Suburban ?—8 st. 12 lb.

Sir CHARLES RUSSELL : Would you mind asking whether he did not run well in the race ?—No, he ran horribly.

Sir HENRY JAMES : I will ask the question. How did he run in the Cambridgeshire ?—He ran very badly indeed.

Did you see the race ?—Yes.

There were about twenty horses : whereabouts did he come in ?—I should think not in the first fifteen.

Now, take the next race, page 504, that is a weight-for-age race. There he meets Braw Lass again. The horse would have carried 9 st. 2 lb. ?—Yes.

It is only a sex allowance ?—Yes.

He had met Braw Lass before, 8 st. 9 lb. and 9 st. 5lb. ?—Yes.

So there he was giving Braw Lass 11 lb. ?—10 lb.

And there he was beaten off, I think ?—Yes.

He now meets Braw Lass at a difference of 3 lb., and is beaten by a head ?—Yes.

Is that in-and-out running or not ?—Yes.

He was backed at 5 to 1 ?—Yes.

And at that difference of 7 lb. in his favour runs Braw Lass to a head, having been beaten off before ?—Yes, 21 lb. would look like bringing them together before, not under.

The race we have got at page 459 is a mile course ?—Yes.

What is this course ?—This course is the last six furlongs of the same course.

It is not so good a course for him as a mile course ?—No, it is not.

Then there is only one other race that he ran, page 538. In the Liverpool Autumn Handicap he was made first favourite at 5 to 1, and the race was won by Lady Rosebery, 5 st. 12 lb., Fullerton carrying 8 st. 12 lb. first favourite, and he is not placed. Do you know where he was ?—He was only fifth, I think he could have been third.

Bismarck was only getting 12 lb. from him for the two years ?—Yes.

And he was made first favourite ?—Yes.

Take this year 1888, what do you say is the result of Fullerton's running ?—It is inconsistent.

On all these occasions he was ridden not by Wood at any rate, but by Watts generally ?—Yes.

Did you ever hear of Lord Dudley asking for any inquiry ?—No.

Of the inexplicable running of Fullerton. Now to just finish this horse's career, I believe it finished yesterday as far as running was concerned ?—Yes.

We will come to the year 1889. It is not very long. In 1889 you said he ran his best race and his worst race ?—Yes.

Which do you call his best race ?—The City and Suburban.

That was won by Goldseeker, starting at 50 to 1 ?—Yes.

And Fullerton, 6 to 1, ran second. Which do you call his worst race ?—The Lincoln Handicap of this year.

He carried 8 st. 12 lb., he was very nearly last I think ?—Yes, he was.

Fullerton is six years old now ?—Yes. The Baron was third in the Lincoln Handicap of this year, and Fullerton was nearly last; and in the City and Suburban, in nearly a month, Fullerton had nearly the same weights, I believe identical weights, and beat The Baron by two lengths, having been beaten by 50 yards in the Lincoln Handicap; there again the state of the ground was very deep in Lincoln.

What do you say about the ground ?—I say it was very deep at Lincoln.

That accounts for his being beaten ?—To me, most distinctly.

That, as you say, was the condition of the ground in the Lincoln Handicap the year before ?—Yes.

What would be the difference apparently from the beatings ? When The Baron beat him at Lincoln, and he beat The Baron at the City and Suburban, what is the difference between the two horses in those two races ?—It is extraordinarily inconsistent. It does not make The Baron's running inconsistent, because he ran pretty right with Wiseman in both races, but it makes Fullerton's running so inconsistent that he should have been beaten so far by The Baron and Wiseman, the winner, and

should have beaten them so much in the City and Suburban, meeting Wiseman on so much better terms for himself in the City and Suburban.

Going back to Sutler. That is going back to the Bedford Lodge affair. My learned friend, Sir Charles Russell, has in the exercise of his discretion referred to the in-and-out running of no horse, I think, in particular except Fullerton.

Sir CHARLES RUSSELL: I really meant to apply the same to Arbaces, Abelard, Plantagenet, Acme, Torch Light, and Cassimere.

Sir HENRY JAMES: In the first place let me dispose of this. Acmé does not belong to you?—No.

To whom?—Lord Lurgan.

That is the gentleman to whom Lord Durham wrote the letter saying he made no charge against him?—Yes.

Now as cross-examination has been put to you in respect of the in-and-out running of this horse, have you ever had the slightest knowledge of any intentional false running of the horse?—I have not.

In the first place have you any reason to believe it to exist?—No, I have no reason to believe it.

I need not remind you, you are on oath. If it is charged that you had any hand or part in it, is that charge untrue?—Untrue.

Torch Light belonged to Lord Lurgan?—Torch Light belonged to Lord Lurgan.

Cassimere to Sherrard?—Yes.

I do not know whether my learned friend's admission that you have acted fairly as to Fullerton extends to Abelard, Plantagenet, and Arbaces, but as to those horses they did belong to you?—They did.

Did you at any time have any knowledge of those horses running falsely?—I did not.

Have you any reason to believe they did?—I have no reason to believe they did.

Did you at any time take part in any false running of the horses?—Nor of any other horses.

Every bet about them is in your book?—Yes.

And diary and bank-book and everything, so far as they bear on these horses, have been open to inspection?—Yes.

I think there is one exception, that you did not enter in your betting-book the bets you made on races at Manchester. As a rule you do enter them in your book ?—I do. I believe I saw it in my trial-book when I was looking for a trial for Sir Charles Russell.

I think it is on the note, but I will ask you again : in 1887 you backed Fullerton, in the three races that he won, for 570*l.*, winning thereby 2,190*l.* ?—Yes.

And you expended, on the races that he lost, 3,287*l.* ?—Yes.

The result being that, in that year, you backed him for 2,717*l.* more when he lost than when he won ?—Yes.

And that you lost, by that horse, 1,097*l.* ?—Yes, that is correct.

I believe it was at the end of the year 1887 that you had heard comments made upon Fullerton's running ?—Yes.

Was any explanation asked from you, and given ?—Yes.

To the Stewards ?—To the Stewards.

You had read Lord Durham's speech ?—No, not then.

You did afterwards ?—Yes.

I think you sent your brother to him ?—Yes.

Until you heard Sir Charles Russell's statement in this court, had you any intimation from Lord Durham that he admitted that you had acted *bonâ fide* in backing Fullerton during that year ?—No, I never heard of it.

You have it again that Lord Durham had, since the month of May 1888, been in possession of the Answers to Interrogatories, and all your documents disclosed to him ?—Yes.

Those Answers to Interrogatories were dated May 28th, 1888. I will only take them generally, for as my learned friend says, I have no right to go in detail into them, but they did give a statement of your bets ?—Yes.

And that statement was made on oath ?—On oath.

Now I want, if you please, to deal with this horse Portnellan. That horse is one that is mentioned in Paragraph 3 as one of the horses that were constantly and inexplicably in-and-out running —that is the horse that Wood purchased for you ?—Yes.

Upon your oath, from the time of the purchase of that horse has Wood had any interest in it ?—None whatever.

Has he had any interest directly or indirectly in that horse ?—None whatever.

Did you pay the entirety of the training bill ?—Just the same as my other horses.

Do you pay the forfeits ?—Yes.

The entries ?—Yes.

And you backed it ?—Yes. I lost a great deal of money on him.

I think we have it that the sum that you lost during the year was 1,080*l.* ?—Yes.

Had Wood anything to do with any of the business transactions connected with that horse ?—Nothing at all.

I do not think you were cross-examined in detail as to the running of this horse ; did that horse run constantly and inexplicably as a horse running in-and-out ?—Quite inexplicably ; it was half blind, and had a bad leg as well. It used to jump in a race. We could not make out what was the matter with him. Mr. Barrow examined him, and found he was half blind ; he had a cataract in his eye.

At any rate, as regards your good faith, you lost 1,080*l.* ?—I lost 1,080*l.*

My friend, Sir Charles Russell, says that is not the kind of horse he would have bought, half blind, and something the matter with his leg ; was that so when you bought him ? Did you know of the blindness ?—No, I knew nothing about it.

When did you find out Portnellan was so afflicted ?—Next year ; he went so funnily in racing.

When you first commenced to run it, did you know of this blindness ?—Little Loates told me that he jumped about in the air. I did not know about it, and I went to Cannon and asked him if he had any suspicion of the horse's eyesight before we bought him.

The other horse I am told I am to look at is Gordon. What do you say as to that horse's running ?—I say he is a great slobbering horse. I do not think his running is at all inexplicable. I think he is a very funny horse.

I believe the result of your bets on that horse was that you won 135*l.* on it ?—Yes, I have never backed him for much ; I hated him so.

I think on Abelard you won 25*l.* ?—Yes.

What do you say as to that horse's running ?—I say he is a very slow, bad horse.

Of course, if you take the 'Racing Calendar,' there may possibly be some horses who always run according to their merit; but those horses, I suppose, would be an exception?—They would be horses like Ormonde, and that kind of thing.

I am not going before the gentlemen who are the Arbitrators to go through every race that this horse ran; but would it be a ground for making a charge against anyone if you saw a certain horse not running always up to the same weight?—No, I think not, I have suffered too much from it myself.

To what cause would you principally attribute the in-and-out running of horses?—The character and nature of the course and of the ground, to the distance, and to the state of health the horse was in. Horses are like men, they are not well like others.

Their tempers are not always so good?—Their tempers are not always so good, and accidents happen to them in a race.

I suppose some days a horse will try, and some days it will not?—Yes, I know some of my horses have run shiftily at times, and other times game, or they appeared to do so.

I mentioned that you had won 25*l.* by Abelard; I am told it is lost by him?—I have lost by him.

In these particulars, there are a number of paragraphs saying that you were part owner with Wood and Lewis in the years 1885, 1886, and 1887, and also that you were cognisant of Sherrard being part owner with Wood of certain horses. To what extent did you interfere with the horses in Sherrard's stable that were not your own?—I did not interfere at all with them.

I believe you did for a time have the management of Mr. Benzon's horses?—Yes.

But with the exception of that gentleman's horses, did you interfere in the management of any other horses?—Never, unless I was consulted. General Owen Williams used to consult me now and then, and now and then Lord Lurgan, but not always.

You took, as we understand, the sole management of your own horses, and you did not allow anyone to interfere with those?—Not a soul.

But had you any cognisance of the dealings of other persons with their horses, except in relation to Mr. Benzon?—I had not.

I think, sir, you understand the charge has been made by the second particulars of unfair dealing with horses, and that they did not run upon their true merits. The particulars are confined to unfair riding, and not as to any running them unfit. The particulars are silent upon that point. 'The horses referred to in the 21st, 22nd, and 23rd paragraphs of the particulars of justification already delivered were run unfairly in the sense that they were ridden with the object of not winning the races referred to in the said paragraphs. Delivered the 11th May, 1888.' Now, you will see as regards paragraph 21, the cross-examination has been not to Lucebit, Lovely, and Kinfauns being ridden unfairly, but as to their being started when they were unfit. (To Witness:) As regards Goater, have you any reason to believe that he rode 'those horses' unfairly?—No, I have not.

My friend cross-examined as to Goater's merits; but, whatever his merits may be, do you believe he rode honestly?—I am certain he rode honestly.

I believe there was an inquiry before the Stewards?—Yes.

And we have the letter from Lord March saying that there was no charge against Goater of having ridden unfairly?—Yes.

Many of those horses mentioned in paragraph 22 would not be ridden by Wood. For instance, Goater rode at Brighton?—Yes.

And as to a great many of those horses, referring to the answer you gave me a very few minutes ago, you would have nothing whatever to do with selecting the jockeys?—Nothing on earth.

They would have been selected by other owners, such as General Owen Williams, Lord Lurgan, Mr. Hammond, and Sir George Arthur? I think you were part owner with Sir George Arthur?—Not in the horse mentioned—Rose Window.

Take Mr. Hungerford, Mr. Hammond, Sir George Arthur, General Owen Williams, Mr. Sherrard, and Lord Lurgan, would you have anything to do in selecting the jockey who was supposed or alleged to have ridden a horse unfairly?—No, I should not.

Now I call your attention particularly to paragraph 23. You are there charged with being cognisant of, and party to, the run-

ning of horses unfairly, that is being ridden unfairly, and not upon their true merits, and not with the view of winning the races in which they ran in 1877. With respect to any one of those horses were you cognisant of their being ridden unfairly at all?—No, I was not.

It is said comments were made in the press on different horses, and the conduct of different jockeys. With the exception of General Owen Williams's request in respect of Success, which I believe was made in Wood's interest, and not against him, did any one of those owners complain of the jockeys they selected riding unfairly?—I have never heard so.

We have heard about Goater. With that exception, with respect to all those races in which it is said you were cognisant of their being ridden unfairly, did any one of the owners ask for any inquiry before the Stewards of the Jockey Club?—I have not heard of any.

Or did the Stewards of the Jockey Club initiate any?—I have not heard of it, except Fullerton.

I was omitting that. An inquiry as to Fullerton did take place?—Yes.

Did you produce your betting book?—I did.

Before the Stewards?—Before the Stewards.

What date would that be in relation to the speech?—It was after the speech was made, but before I read it.

It was before these particulars were delivered?—Yes, long before.

You, as we know, answered, upon your oath, interrogatories. My learned friend has asked you as to rumours you heard in respect of Charles Wood. Did you at any time hear rumours with respect to Wood's riding?—I have.

All this, I believe, has been stated, but the first rumour I think you heard was with respect to this horse, Sutler?—Yes.

That was partly belonging to Mr. Higgins, and partly to you?—Yes.

Some statement appeared in the press with respect to it?—Yes, in a paper called *Truth*.

Had you and Mr. Higgins backed the horse for that race, and lost heavily?—Yes.

Did you place the editor of *Truth* in possession of the

knowledge of what you had done in relation to backing the horse?—Yes.

After that did you get the promise of a retraction or contradiction?—Yes.

I believe there was a second occasion when something was said about the riding of Plantagenet?—Yes.

That was long after, in April 1887?—Yes.

Was that in relation to the running at the Kempton Park Meeting on Easter Monday in 1887?—Yes.

Had you backed the horse?—Yes, for 800*l.* or 900*l.*

Wood rode it?—Yes.

Looking at the fact of your having backed it for that amount, had you the slightest knowledge of any improper riding of that horse?—Not the least.

Do you believe Wood rode him improperly?—I am sure he did not.

I come now to the purchase of these horses—what we term the Arbaces lot—those are the transactions referred to in the etters that have been read. You marked one letter 'private'?—I did.

Did you put two letters in the same envelope?—I did.

One intended to be kept by Wood and the other to be sent on?—Yes.

There being those two letters in the same envelope, did you mark the one that was to be kept 'private'?—Yes.

And did you leave the one that he was to send on to the Stewards, or to Mr. Weatherby, open, without the word 'private'?—I did.

Looking back upon that, what was your reason for putting the word 'private'?—Simply, no doubt, that he might not confuse the two letters.

From the time those letters were written, has Wood had any interest whatever in those horses?—He has not had any interest whatever.

Does the same answer apply with respect to everything else? Has he had any interest whatever?—He has none.

It is true at this time you were without funds?—Yes.

You have made out an account, which, of course, you made out roughly as you said?—Yes.

You have given no account there of the sum that you have

received in stakes. Is that taken into account?—Yes, I think so; winnings are stakes.

I think you are right, and I am wrong. The winnings come in under the words 'receipts,' with the sales. Where do you put the entrances?—They are there.

Had you the whole management of those horses?—Yes.

As far as you know, did Wood ever interfere with them in any way?—I am certain he did not.

Beyond marking that letter 'private' which was placed in the same envelope as the one intended to be sent on, did you ever impose privacy on Sherrard, Wood, or anyone, in relation to this matter?—I did not. In Wood's entries they would naturally be marked in my colours; but his name would be on the card. Having bought his entries with a horse, when it came to my turn to run the horse it would be in his name on the card, but in my colours.

Up to the end of 1887, as you say, you were not in funds. There was, we know now, a sum of money that you received from Weatherby's?—Yes.

Was it 1,700*l.* or 1,800*l.*?—1,700*l.*

From what source or sources did that come?—That came from my winnings during the year.

Did that sum enable you to pay Wood 314*l.*?—No; I think I paid his riding bill first.

Afterwards you paid the 315*l.*?—Yes.

And you paid Sherrard a sum of money?—Yes, I did. I was often mentioning that I was indebted to Wood, and ought to pay him; but he said, 'Pay Sherrard first of all.' I continually paid Sherrard sums of money on account.

You have been asked some questions touching your giving up Wood to other owners of horses sometimes. Is that an unusual course?—No; I do not think so at all.

Under what circumstances would it be usual for an owner to give up his first jockey or his principal jockey to another owner?—If he thought that the other horse had a much better chance than his own.

You have been asked about Mr. Baird riding a horse called —I think it is Hammoon. You backed a horse for him in the same race?—Yes—Cliftonian.

Of course, if there is any evil in that, it would be that Mr.

Baird would not win on the horse he rode, and would leave Cliftonian to win if he could?—That would be the suggestion.

The chief offender there would be Mr. Baird?—Yes, if that had happened.

He is one of the persons in Sherrard's stable who would come within Lord Durham's letter saying that he makes no charge against them?—I suppose so.

You told us yesterday that at the time you made that bet for Mr. Baird you did not know that he was going to ride?—No, I thought he was going to ride Tommy Upton in the first race.

Have you any reason to believe that Mr. Baird is a person who would give up winning a race in which he was riding?—No, quite the contrary.

We also went into the settlement between you and Mr. Baird in January 1888. Is *that* the account that was made out (handing)?—Yes.

Does this set out the account of bets and the transactions that took place between you?—Yes.

'January 1888, I owe you'—that is Mr. Baird who is speaking?—There I am speaking.

'I owe you 600*l.* bets; 787*l.* 10*s.*—my half Abelard and Sly?'—Yes, coupled.

'They cost 1,575*l.*?'—Yes.

'600*l.*, my half of Brighton.' Those three sums, added together, make 1,987*l.* 10*s.* The other side of the account seems to come in now?—Then there are training expenses to be deducted from that.

I think that is deducted from this sum. Then you come to the other side of the account—'You owe' that is, Mr. Baird, 'half training of Sly, 1886, 29*l.* 2*s.* 1*d.*; half training of Whitefriar, 11*l.* 19*s.* 3*d.*; half training of Brighton, 20*l.* 11*s.*; purchase from me of my half of Whitefriar, 750*l.*; purchase from me of my half of Brighton, 600*l.*; due to me half of 100*l.* put on Brighton for you at Liverpool—Mr. Barnard put the other half on—50*l.*'—making 1,493*l.* 11*s.* 7*d.*; 1,493*l.* 11*s.* 7*d.* being deducted from 1,987*l.* 10*s.* leaves 493*l.* 18*s.* 5*d.*, balance owing by you to Mr. Baird. Then from that 493*l.* 18*s.* 5*d.* you have to deduct one-half Sherrard's training bill for 1887, amounting to 275*l.*, leaving 218*l.* 18*s.* 5*d.*, which you call grand total due to G. W. Baird. That is signed by Mr. Baird?—Yes.

I have not been able to follow the minute details, probably, of some of these races and trials; but is there anything you wish to add in reference to the questions put to you, or do you wish to explain any of the races which were run or the trials?—No; but what I should like to say is this: I was asked yesterday by Sir Charles Russell whether I thought the condition of the Turf was better now than it was before, and I said no, I did not think it was. What I do think is that the riding is fairer now, and that they do not cannon against each other so much, owing to some very stringent rules that have been passed. Some of the jockeys have been had up for crossing and have been suspended, and in that way, I think, they are not so inclined to ride each other on the rails and that sort of thing, as they were.

Sir CHARLES RUSSELL: We see this paper for the first time. Can you tell me how this 600*l.* is made up?—Yes, I can. It was 600*l.* to 500*l.*, Abelard to Newmarket.

I should like to ask a question as to a statement made by you. You were understood to say very early in your re-examination that your horses—I am not purporting to give the exact language—had frequently won, when you had backed some other horse in the race?—Yes, there are many instances of it.

I should be glad if you could give me a list of those by to-morrow morning.—They are here, and you can have them all.

I should like to see a list of them. Can you suggest any race in which your horses have won in which they have started at an outside price?—Yes, I can.

I should like to see those, also, please.—I will tell you now one particular one, if you will allow me. I ran a horse called Craigthorpe, a two-year-old, in a selling race at Sandown some years ago—I think it was in 1882. I thought he had no chance of winning—none at all. Directly I went into the Ring—I was there rather late—Mr. Hibbert was the first Ring man I saw, and he said, 'Do you want to back yours?' I laughed and said 'No.' '20 ponies,' he said. I at once took it. Another Ring man next to him said, '20 ponies'—I forget whether it was 20—or something of that sort. I took that. A third Ring man said '20 to 1,' and I took that. Then I backed the favourite, and my horse won in a canter.

That was in 1882?—Yes, I believe it was in 1882. It was a horse called Craigthorpe, a two-year-old.

Is that the only instance you can mention?—When I have backed my horse at a long price?

Yes?—No, that is not the only instance.

I think it is only fair that if you can mention such cases you should do so—where your horses started at a longish price and won?—Kingwood, who was a very good horse, won a race at Derby about three years ago, and they shrieked 100 to 7 into my ear. It is a long price for not a big race, and he won. He was a very good horse.

Are there any other instances?—I dare say there are. But those are two important instances.

Sir HENRY JAMES: You have been furnishing us, I presume, with some instances where you have backed horses not your own, and your own horse has won?—Yes.

Just look at *that* (handing)?—Yes. Those are horses of my own, and in my stable as well. There are a few not belonging to me.

Read out, if you please, one or two of those of your own horses.—Liverpool Spring Meeting, March 29th, 1884. Lancastrian Selling Plate: my horse Spectrum won, beating Camp Follower by a neck. I backed Camp Follower only. I took three ponies from Mr. Hibbert. Mine (Spectrum) was a hot favourite at 6 to 4 against. Spectrum was ridden by Wood, and Spectrum won by a neck. In the same year Coy, the property of myself and Sir George Arthur, and ridden by Wood, beat Kassassin by a neck. I lost 250*l.* on the race. I backed Pompey, ridden by Archer.

Sir CHARLES RUSSELL: What was Coy's price?—4 to 1, I think. Then at Northampton on April 1, in the Northamptonshire Cup, distance a mile; Scales (my horse), Wood riding, won; Zadig (S. Loates) was second; and Dreamland (Archer) was third. Scales won by a neck, a head between the second and third. I did not back my horse which won; but I backed Dreamland, laying 60 to 40, Archer riding it.

Coy won in a field of how many?—There were seven runners, and Coy was second favourite, I think. I lost 250*l.* on the race. In 1886, August 3rd, at Brighton, Lord Lurgan's Songbird, ridden by Wood, won by four lengths. 2 to 1 was laid on For Ever. I backed For Ever, and lost 650*l.* on the race.

Sir HENRY JAMES: You can go on giving us instances if necessary?—I can go on for a long time. When Hambletonian, ridden by Wood, won the Select Handicap at Newmarket, I backed Kingwood, and did not back Hambletonian. They were both in the stable. I gave Wood up to ride Hambletonian because General Owen Williams begged me to do so.

I will not trouble you further about this; but we can hand that paper in. Some instances have been put to you with respect to the running of horses. Of course you have had a large number of horses in training?—A great many.

There are a vast number of races other than those which we are inquiring into in which your horses have run?—Yes.

I do not know whether the bets in respect of those horses are in your betting books?—For a certain number of years.

You have no objection about inquiry being made into the running of any of those horses?—No.

Sir GEORGE CHETWYND, recalled.

Further examined by Sir HENRY JAMES.

You have been in court and have heard the examination of Wood and Sherrard?—Yes.

Until Wood was examined had you the slightest knowledge of his being the owner of horses running in Macksey's name?—Not the slightest.

That, to your knowledge, is an infringement of the rule that the Stewards of the Jockey Club have laid down?—Yes.

Have you by yourself and your solicitor endeavoured to arrive at the truth of this statement as to whether Wood was the owner of any horses or not?—Yes.

Have you found the slightest trace from any statements made to you by anyone that Wood was an owner of such horses?—No.

Referring to the evidence you have given, I presume, if you had known those facts, you would not have given the evidence you did as having full confidence in Wood?—No.

If you had known those facts?—No. As regards riding my horses fairly, I still do believe that he rode my horses fairly, but I do not defend what he said.

I suppose you would not approve of his riding as a jockey for an owner having a hidden ownership in a horse that was running in the race itself?—No.

SHERRARD'S RE-EXAMINATION.

Sir HENRY JAMES: Only one or two questions, Sherrard. Whatever have been your dealings with Wood have those been dealings between you and him alone, or has Sir George Chetwynd had anything to do with them?—Nothing whatever.

Did you ever make Sir George Chetwynd acquainted with either your betting transactions or your advances by Wood, or aught else?—No, none whatever.

It is not for me to judge you about the horses, but whatever you have had to do with Wood in respect to horses, has Sir George Chetwynd in any way interfered in the matter or known of those transactions, so far as you know?—No.

You say that positively?—Positively.

They have been between you and Wood alone?—Yes.

Were the other horses kept apart or with these horses—the horses that ran in your name?—Oh, no, they were mixed up in the stable with other horses.

Were any of them at all kept separate?—No.

Were they pointed out or earmarked so that anybody could know whose they were?—Certainly not.

So far as you know, did Sir George Chetwynd in any way inquire to whom the horses belonged?—No.

Had you a stable apart from the small stable?—I had at one time; at the time we had nearly a hundred horses. I had three yards going, but I do not have that now.

Were your horses put into the small stable or kept generally?—Kept generally.

You are sure of that?—Positive.

WOOD'S RE-EXAMINATION.

Sir HENRY JAMES: Had Sir George Chetwynd any knowledge at all that you were the real owner of Jezreel?—Not the slightest.

And does the same answer apply to your ownership of Doncaster Cup?—Certainly.

Would Sir George Chetwynd have any knowledge of the state of your banking account, of your betting transactions, or of the presents made to you?—I should say certainly not.

And would Sir George Chetwynd have any knowledge of your

transactions with Sherrard except as far as you were landlord and tenant?—I should say certainly not.

Now, Mr. Hammond made you a present of 1,000*l.* after the Cesarewitch of 1884?—Yes.

And in the Houghton week you won three races for him. What is your recollection now as to the 500*l.* which has been mentioned?—It is a long time ago, but I should say that Mr. Hammond gave me the 500*l.* for winning these three races.

Do you recollect seeing Sir George with Mr. Hammond at Derby November Meeting, and speaking to him on the subject of this statement that you had received 500*l.* from Hammond after the Cambridgeshire?—Yes.

And did not you and Mr. Hammond both assure Sir George that no such gift was made in relation to that race?—Yes, I think that did occur, and I think Mr. Hammond also wrote to the Duke of Westminster.

THE END

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